



Arlington Conservation Commission

Date: Thursday, July 15, 2021

Time: 7:30 PM

Location: Conducted by Remote Participation

Please note: The listing of matters are those reasonably anticipated which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

Agenda

1. Administrative

- a. Review draft 06/17/2021 minutes
- b. Discuss updates to the Thorndike Place comprehensive permit application.
- c. Discuss updates to the 1165R Mass Ave comprehensive permit application.

2. Discussion

a. **Working Session: 1021/1027 Mass Ave**

8:15pm

This project proposes to redevelop two lots within the Riverfront Area of Mill Brook. This is a prospective 40B Comprehensive Permit Application. The proponent has not yet sought a Project Eligibility Letter from MassHousing. This is a working session. Until a complete application has been properly filed with the Conservation Commission, the Commission will not approve or make any determination concerning potential work. Statements by the Commission or any Commission member in working sessions shall not be construed as prejudging a project or guaranteeing a particular action by the Commission on a subsequent filing.

3. Hearings

Notice of Intent

Notice of Intent: Spy Pond Treatment Program
MassDEP File #091-0330
Request to Continue to 08/05/2021

7:45pm This project proposes a water quality management program for Spy Pond.

Request for Certificate of Compliance

Request for Certificate of Compliance: 46 Spy Pond Parkway

MassDEP File #091-0300
Request to Continue to 08/05/2021

The project as approved proposed to raze and rebuild an existing single family home and add resource area improvements through a native vegetation buffer along Spy Pond and pervious 7:45pm paver driveway, walkways, and patio in the 100-ft wetlands buffer and AURA of Spy Pond. The project was approved on 11/20/2018.

Request for Plan Amendment

Request for Plan Amendment: 10-16 Mill Street
MassDEP File #091-0294

7:45pm This project proposes to redevelop existing mill buildings on three separate lots within the Riverfront Area of Mill Brook. This project was approved by the Commission on 6/21/2018, and an extension was granted until 6/21/2023.



Town of Arlington, Massachusetts

Review draft 06/17/2021 minutes

Summary:

Review draft 06/17/2021 minutes

ATTACHMENTS:

| Type | File Name | Description |
|-----------|---|--------------------------|
| ▢ Minutes | 06172021_Minutes_Conservation_Commission.docx | Draft 06/17/2021 minutes |



Arlington Conservation Commission

Date: June 17, 2021

Time: 7:30pm

Location: O'Neill Room, Community Safety Building, 112 Mystic Street, Arlington, MA 02474

Minutes

Attendance: Commission Members Mike Gildesgame (via conference call), Pam Heidell, Dave Kaplan, Nathaniel Stevens (Acting Chair for the meeting), Chuck Tirone (Vice Chair, via conference call), and David White; Associate Commissioners Cathy Garnett (via conference call) and Doug Kilgour (via conference call); and Conservation Agent Emily Sullivan. Commissioner Susan Chapnick (Chair) was not present. Members of the public included Eliza Hatch (36 Peabody Road).

06/03/2021 Meeting Minutes

The Commission discussed edits to the draft 06/03/2021 minutes. P. Heidell motioned to approve the minutes as edited, D. Kaplan seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Thorndike Place 40B Comprehensive Permit Update

D. White recused himself from the Thorndike Place 40B discussion.

N. Stevens summarized a conversation he had with S. Chapnick regarding the Zoning Board of Appeal's 6/10/2021 Thorndike Place hearing. S. Chapnick and P. Heidell attended the hearing. N. Stevens stated that the Town's third-party reviewer BETA would be submitting a stormwater review letter sometime soon. At the hearing, the ZBA asked the Applicant for clarification on the waiver request list. N. Stevens stated that the Applicant was proposing half basements in the town home duplexes, with 2:1 compensatory flood storage.

P. Heidell stated that the Applicant had committed to designing the stormwater management system using NOAA Atlas 14+ data. P. Heidell recommended that the Applicant get a No-Rise Certification from FEMA, which is a permit that determines that a project will not increase flood heights. An engineering analysis by the Applicant would have to be conducted before a permit can be issued.

M. Gildesgame asked whether FEMA No-Rise requirements applied to underground garages. N. Stevens stated that he did not think the underground garages counted in No-Rise calculations. P. Heidell recommended that the Applicant check in with FEMA regarding the project and required certifications.

The next ZBA hearing for Thorndike Place is scheduled for 6/29/2021.

1165R Mass Ave 40B Comprehensive Permit Update

The 6/15/2021 ZBA hearing for 1165R Mass Ave was posted to 6/22/2021.

Open Space and Recreation Plan Workshop Update

E. Sullivan summarized the Open Space and Recreation Plan workshop on 6/10/2021 facilitated by the Open Space Committee.

The workshop was attended by 47 community members and focused on both open space and recreation amenities. Most of the workshop focused on discussing three questions:

- 1) What is the Town doing well to meet community open space and recreation needs?
- 2) What could the Town do better and how?
- 3) What are missing open space and recreation opportunities?

Overall, workshop participants agreed that Arlington has a variety of places and spaces for passive and active recreation. While community members appreciated the existing amenities and the recent renovation projects, participants articulated a need for better maintenance of open space and recreational amenities. Participants also expressed an interest in more community programming, flexible park designs, and the inclusion of arts in open space and recreation. Community members agreed that consistent signage would increase public awareness of parks and create a more cohesive park and open space network. The Open Space Committee will directly engage the Conservation Commission to get feedback on the plan update as public engagement continues over the summer and fall.

Request for Certificate of Compliance: 36 Peabody Road

MassDEP File #091-0313

Documents Reviewed:

- 1) *36 Peabody Road NOI*
- 2) *36 Peabody Road OOC*
- 3) *36 Peabody Road Request for Minor Plan Amendment*
- 4) *36 Peabody Road Request for Certificate of Compliance ("RCOC") and As-Built*
- 5) *COC Internal Checklist*

Resource Areas:

- *100-ft Wetlands Buffer*
- *Adjacent Upland Resource Area*

The project as approved proposed to hardscape and landscape the backyard of a single-family home on a parcel abutting Spy Pond, within the 100-ft Wetlands Buffer and Adjacent Upland Resource Area of Spy Pond. The project was approved on 9/19/2019. The Commission approved a minor plan amendment in November 2019 that permitted

additional hardscaping in the 100-ft buffer area. The back yard is very steep, and additional hardscaping was necessary for stabilization and safety.

E. Sullivan summarized her site visit. The Applicant constructed an additional 16 square feet of hardscaping (wall) in the 75-100 ft zone of the AURA due to stability issues. As mitigation for the additional 16 square feet the property owner has installed creeping thyme within the pathways totaling approximately 345 square feet of additional plantings. The Applicant is committed to adding even more additional plantings, including 10-15 gro-lo sumac, 3-4 wild roses, another tree from the approved list, 10-15 ferns, and 10-12 prairie dropseed. These plants will be installed within the next year, some in the fall and some in the spring depending on what timing is best for each type. The Applicant has hired Pemberton Garden Services to maintain the new plantings. E. Sullivan recommended that the Commission issue a full certificate of compliance with the following continuing conditions:

39. All plantings shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

41. All plantings planted and invasive species removed through this project shall be maintained for three years. A survival rate of at least 80% must be maintained for the approved plantings. A monitoring report shall be submitted annually in November to Commission.

43. To avoid adding excess nitrogen runoff, the Applicant shall only treat the lawn area with slow release nitrogen fertilizer. Application of this fertilizer cannot occur in the summer, or after storm events. Lawn fertilizer shall only be applied twice a year, in spring and fall. No other herbicides or treatment methods are approved. New plantings shall only be fertilized once, during the initial planting year. No pesticides or rodenticides shall be used to treat pest management issues. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

44. Pervious surfaces shown on the project plans shall be maintained and not be replaced by impervious surfaces. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

D. White voted to issue a full Certificate of Compliance with continuing conditions #39, #40, #41, #43, and #44 for 36 Peabody Road MassDEP File #091-0313, D. Kaplan seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Notice of Intent: Spy Pond Treatment and Management Program

MassDEP File #091-0330

Documents Reviewed:

- 1) *Spy Pond Treatment and Management Program NOI*
- 2) *MassDEP File #091-0258 Spy Pond Treatment OOC*

Resource Areas:

- *Land Under Water Bodies and Waterways*

The Applicant requested that the hearing be continued to the 7/1/2021 meeting because the Natural Heritage and Endangered Species Program still had not submitted comments on the NOI.

D. White voted to continue the hearing to the Commission's 7/1/2021 meeting, M. Gildesgame seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

E. Sullivan stated that the Commission had not received any new filings for the 7/1/2021. The Commission agreed to cancel the 7/1/2021 meeting. The next Commission meeting would be 7/15/2021.

D. Kaplan voted to continue the hearing to the Commission's 7/15/2021 meeting, P. Heidell seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Request for Certificate of Compliance: 46 Spy Pond Parkway

MassDEP File #091-0300

Documents Reviewed:

- 6) *46 Spy Pond Parkway NOI*
- 7) *46 Spy Pond Parkway OOC*
- 8) *46 Spy Pond Parkway Request for Certificate of Compliance ("RCOC") and As-Built*
- 9) *46 Spy Pond Parkway Additional RCOC Materials, dated 02/25/2021*
- 10) *COC Internal Checklist*

Resource Areas:

- *100-ft Wetlands Buffer*
- *Adjacent Upland Resource Area*

The Applicant requested that the hearing be continued to the 7/1/2021 meeting because they had not finished compiling the additional materials requested by the Commission, including:

- 1) updated planting plan
- 2) move markers to new buffer boundary, put markers on new planting plan
- 3) evaluate moving generator outside of 50-ft buffer boundary (is it feasible per building code, if yes make a plan for moving it)

4) site visit for the Commission

C. Tirone voted to continue the hearing to the Commission's 7/1/2021 meeting, M. Gildesgame seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

E. Sullivan stated that the Commission had not received any new filings for the 7/1/2021. The Commission agreed to cancel the 7/1/2021 meeting. The next Commission meeting would be 7/15/2021.

C. Tirone voted to continue the hearing to the Commission's 7/15/2021 meeting, D. White seconded, all were in favor, motion approved. A roll call vote was taken. M. Gildesgame voted yes, P. Heidell voted yes, D. Kaplan voted yes, N. Stevens voted yes, C. Tirone voted yes, and D. White voted yes.

Regulations Update: Section 4, Definition of Stream

The Commission discussed the definition of "stream" in the Arlington Regulations for Wetlands Protection. The current definition of stream is:

STREAM – a body of running water, including brooks and creeks, which moves in a definite channel in the ground due to hydraulic gradient, and includes streamlets and rivulets. A portion of a stream may flow through a culvert or beneath a bridge. Such a body of running water which does not flow throughout the year (i.e., which is intermittent) is a stream.

P. Heidell shared the MassDEP Wetlands Protection Act definition of stream: STREAM means a body of running water, including brooks and creeks, which moves in a definite channel in the ground due to a hydraulic gradient, and which flows within, into or out of an Area Subject to Protection under M.G.L. c. 131, § 40. A portion of a stream may flow through a culvert or beneath a bridge. Such a body of running water which does not flow throughout the year (i.e., which is intermittent) is a stream except for that portion upgradient of all bogs, swamps, wet meadows and marshes.

A major difference between the Arlington Regulations definition and the MassDEP definition is the distinction between intermittent streams. MassDEP does not consider intermittent streams upstream of wetlands areas to be streams, while the Arlington Regulations considers all intermittent streams regardless of proximity to wetlands areas to be streams. According to MassDEP, they structured their definition as such because "it provides a clear, practical cut-off point for distinguishing between true streams and small drainage channels which flow in direct response to precipitation".

N. Stevens asked whether the Commission should adopt MassDEP's definition or keep a unique, Arlington-specific definition.

P. Heidell stated that she appreciated the clean cut-off established by the MassDEP definition.

C. Tirone stated that if a stream has flow then an Applicant can investigate soils and vegetation to determine whether it is jurisdiction. C. Tirone stated that Ryder Brook rarely flows, and that it is not intermittent but ephemeral at best.

P. Heidell stated that the Town just amended its Stormwater Management Bylaw, which was approved by Town Meeting, so stormwater and water quality are being regulated more strictly. Because of the amended Bylaw, P. Heidell stated that she was comfortable adopting the MassDEP definition of stream. P. Heidell stated that No Name Brook is just a drainage ditch with no inlet or outlet.

D. White stated that No Name Brook is consistently wet and that there is an outlet.

C. Tirone stated that if No Name Brook always holds water, then it likely has hydric soils and is groundwater fed. C. Tirone stated that he had concerns with the MassDEP definition.

D. Kaplan stated that the MassDEP definition attempts to weed out channels that flow only in response to precipitation events. Streams need hydraulic gradients according to both the Arlington Regulations and MassDEP definitions. If the bottom elevation of a channel is low enough to hold water, then it is hydraulic connected (has a hydraulic gradient) and is therefore a stream. If a channel only holds water in response to a precipitation event and has no hydraulic gradient, then it is just a drainage ditch and not a stream.

P. Heidell stated that she surveyed approximately 30 municipalities for their definition of stream, and about half used the MassDEP definition and the other half used the same definition as the Arlington Regulations. The Town of Sudbury quantifies the number of days a stream flows to determine stream jurisdiction. P. Heidell noted that such a definition makes it difficult to calculate if the Applicant is applying in the winter or during a drought year.

N. Stevens stated that the Commission could name specific streams in its definition of streams to clarify jurisdiction.

C. Tirone and M. Gildesgame both stated that Ryder Brook does not have wetlands vegetation.

C. Tirone stated that he liked D. Kaplan's summary of a stream, but would like to add qualifiers to the definition, such as wetlands vegetation presence and soil type.

D. Kaplan stated that he did not think wetlands vegetation and hydric soils would be present for intermittent streams.

N. Stevens noted that the Arlington Regulations note multiple values of streams, including flood control. P. Heidell stated that the amended Stormwater Management Bylaw requires that post-development stormwater conditions cannot create more runoff than pre-development conditions. Therefore, there will still be stormwater conveyance onsite. N. Stevens appreciated P. Heidell's point, and stated that the amended Bylaw manages runoff and flood issues, and that the Regulations for Wetlands Protections are no longer the only regulations protecting these areas in town.

C. Tirone proposed that he work with D. Kaplan on developing a definition that is more stringent than the MassDEP definition.

C. Garnett stated that Arlington has hilly topography and that it historically had many streams and drainage channels that were cut off due to development. M. Gildesgame stated that the Commission should focus on the existing conditions of the town.

P. Heidell proposed looking at the definition of stream in other municipalities.

The Commission agreed to continue this discussion at a future meeting once more research had been completed.

C. Tirone motioned to close the Commission meeting, M. Gildesgame seconded, all were in favor, motioned approved.

Meeting adjourned at 8:45pm.



Town of Arlington, Massachusetts

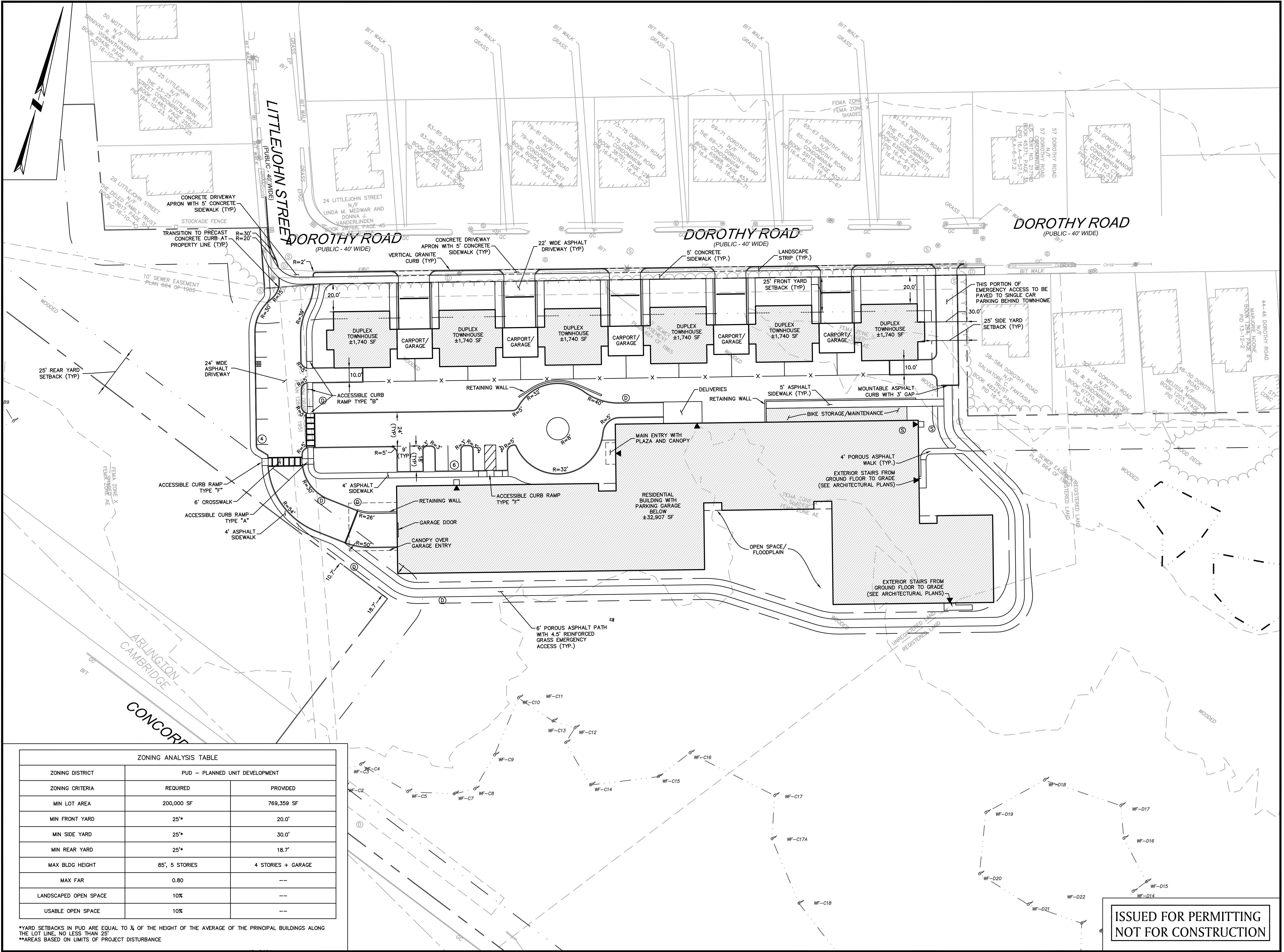
Thorndike Place 40B Comprehensive Permit Update

Summary:

Discuss updates to the Thorndike Place comprehensive permit application.

ATTACHMENTS:

| Type | File Name | Description |
|--------------------|--|---|
| Reference Material | Thorndike_Place_40B_Site_Plans_Revised_June_2021.pdf | Thorndike Place 40B Revised Plan Set_ June 2021 |



| ZONING ANALYSIS TABLE | | |
|-----------------------|--------------------------------|--------------------|
| ZONING DISTRICT | PUD - PLANNED UNIT DEVELOPMENT | |
| ZONING CRITERIA | REQUIRED | PROVIDED |
| MIN LOT AREA | 200,000 SF | 769,359 SF |
| MIN FRONT YARD | 25' | 20.0' |
| MIN SIDE YARD | 25' | 30.0' |
| MIN REAR YARD | 25' | 18.7' |
| MAX BLDG HEIGHT | 85', 5 STORIES | 4 STORIES + GARAGE |
| MAX FAR | 0.80 | -- |
| LANDSCAPED OPEN SPACE | 10% | -- |
| USABLE OPEN SPACE | 10% | -- |

*YARD SETBACKS IN PUD ARE EQUAL TO 1/4 OF THE HEIGHT OF THE AVERAGE OF THE PRINCIPAL BUILDINGS ALONG THE LOT LINE, NO LESS THAN 25'

**AREAS BASED ON LIMITS OF PROJECT DISTURBANCE



PROFESSIONAL ENGINEER

THORNDIKE PLACE

DOROTHY ROAD
IN
ARLINGTON
MASSACHUSETTS
(MIDDLESEX COUNTY)

LAYOUT & MATERIALS
PLAN

MARCH 13, 2020

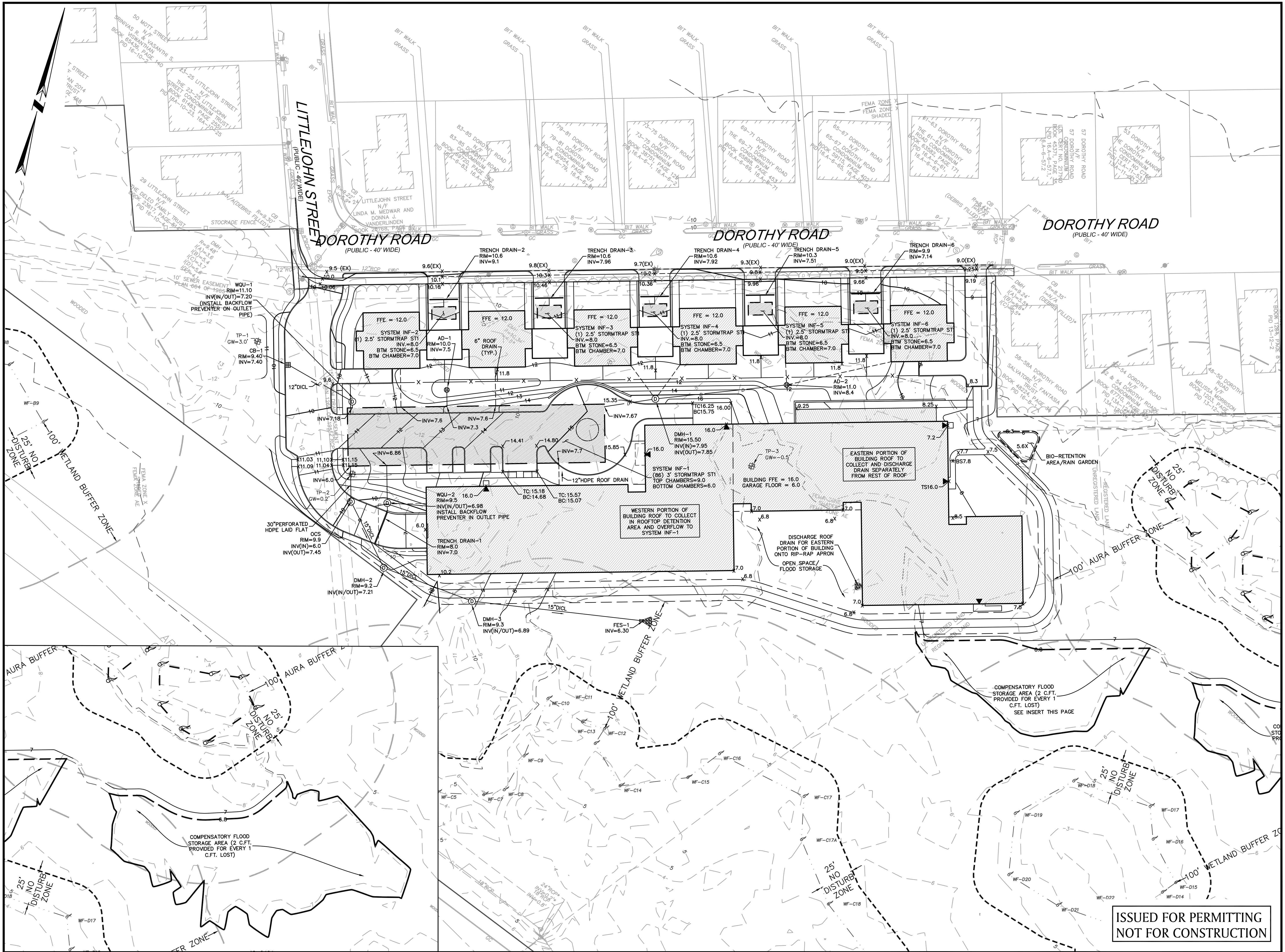
| REVISIONS: | | |
|------------|----------|------------------------|
| NO. | DATE | DESC. |
| 1 | 9/18/20 | NEW BUILDING FOOTPRINT |
| 2 | 10/22/20 | WETLAND DELINEATION |
| 3 | 11/03/20 | REVISED BUILDING |
| 4 | 3/11/21 | LAYOUT REVISIONS |
| 5 | 5/10/21 | NEW BUILDING FOOTPRINT |
| 6 | 6/3/21 | NEW BUILDING GRADING |

PREPARED FOR:
ARLINGTON LAND REALTY, LLC
84 SHERMAN STREET, 2ND FLOOR
CAMBRIDGE, MA 02140

BSC GROUP
803 Summer Street
Boston, Massachusetts
02127
617 896 4300

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SCALE: 1" = 30'
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FILE: \Civil\Drawings\2340700-LM
DWG.:
JOB. NO: 23407.00 SHEET C-103

ISSUED FOR PERMITTING
NOT FOR CONSTRUCTION



PROFESSIONAL ENGINEER

THORNDIKE PLACE
IN
ARLINGTON
MASSACHUSETTS
(MIDDLESEX COUNTY)
GRADING &
DRAINAGE PLAN
MARCH 13, 2020

| REVISIONS: | | |
|------------|----------|------------------------|
| NO. | DATE | DESC. |
| 1 | 9/18/20 | NEW BUILDING FOOTPRINT |
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FILE: \Civil_Drawings\2340700-GR
DWG.:
JOB. NO: 23407.00 SHEET C-105

ISSUED FOR PERMITTING
NOT FOR CONSTRUCTION



Town of Arlington, Massachusetts

1165R Mass Ave 40B Comprehensive Permit Update

Summary:

Discuss updates to the 1165R Mass Ave comprehensive permit application.

ATTACHMENTS:

| Type | File Name | Description |
|--------------------|---|-----------------------------------|
| Reference Material | 1165R_Mass_Ave_40B_Draft_Decision_Conservation_Commission_Revisions.pdf | 1165R Mass Ave 40B Draft Decision |

TOWN OF ARLINGTON

Zoning Board of Appeals

730 Massachusetts Avenue

Arlington, MA 02476

DECISION ON APPLICATION FOR COMPREHENSIVE PERMIT

G.L. c. 40B, §§ 20-23

APPLICANT: 1165 R Mass MA Property, LLC ("Applicant")

PROPERTY: 1165-1167 and 1165R Massachusetts Avenue, Arlington, MA (the "Property")

ASSESSORS' MAP: Assessors Parcel 57-2-10.B

DEVELOPMENT NAME: _____

DATE: July __, 2021

Commented [PH1]: I don't see this entity in the Secretary of State's Corporate Database. It is a Delaware Corporation, but it should be registered in MA.

I. PROCEDURAL HISTORY

1. An application for a Comprehensive Permit was received by the Town of Arlington Zoning Board of Appeals ("Board") on or about December 1, 2020 ("Application"). The Application proposes the development of one hundred and thirty (130) units of rental housing with associated parking in four (4) structures located at the Property (the "Project").
2. The Board's public hearing on the Application was duly opened on January 5, 2020, with the grant of an extension by the Applicant of the thirty (30) day deadline to open the public hearing. At its January 5, 2021 public hearing, the Board voted not to provide a notification to the Applicant pursuant to 760 CMR 56.03(8) that it met the 1.5% Land Area Minimum Safe Harbor.
3. The Project is located on the Property, which is located at 1165-1167 and 1165R Massachusetts Avenue, Arlington, Massachusetts. The Property is located on approximately 2.3 acres of land.
4. The Property is located in the Industrial (I) Zoning District. Nearby uses consist of Mirak Chevrolet parking lot to the north (at 1125 Massachusetts Avenue), and Lalicata Landscaping's yard to the north (at 33 Ryder Street). To the south, the Property abuts the Mirak Hyundai car dealership (at 1165 Massachusetts Avenue). To the east, the Property abuts the Mirak Chevrolet parking lot as well as

Arlington Auto Detailing (1155R Massachusetts Avenue). To the west, the Property abuts the Robert J. Annese Law Office (1171 Massachusetts Avenue) and a condominium complex (located at 9 Ryder Street).

5. The Property consists of approximately 2.3 +/- acres. The Property currently contains __ existing structures on footprints comprising 25.7% of the Property. Additionally, the Property contains significant pavement, covering approximately 67.9% of the Property, for a current total impervious area of 93.6%.
6. The Applicant provided various materials, reports, studies, and revised plans throughout the course of the public hearing on the Application.
7. The Applicant proposes the construction of one hundred and thirty (130) rental apartment units, of which thirty-three (33) units will be reserved as affordable units as determined by the Subsidizing Agency.
8. During the public hearing, the Applicant was assisted primarily by its counsel May O'Connor, Esq., of Krattenmaker, O'Connor & Ingber, P.C., its civil engineers Bryan Zimolka, P.E. and Randy Miron, P.E., of Bohler Engineering, its architect Joel Bargmann, AIA, of BH+A Architects, and its traffic engineer Bryan Simolka, P.E., of Nitsch Engineering.
9. The Board utilized the services of its review engineers BETA Group, Inc., with Marta Nover, Laura Krause, Senior Environmental Scientist, Senior Associate William McGrath, P.E. handling civil engineering and wetlands peer review, and Greg Lucas, P.E., PTOE, for traffic. The Board also utilized the services of Town Counsel Douglas Heim, Esq., Planning Director Jenny Raitt, Senior Planner Kelly Lynema, Environmental Planner and Conservation Agent Emily Sullivan, and other town staff. The Board was also represented during the course of the hearing by Paul Haverty, Esq., of Blatman, Bobrowski & Haverty, LLC as its Chapter 40B technical consultant through a grant from the Massachusetts Housing Partnership.
10. During the public hearing, there was significant public input. The Board heard input from abutters and other interested persons throughout the hearing process. The Board also heard significant input from town departments, including the Conservation Commission, the Department of Planning and Community Development, and the Transportation Advisory Committee.

II. JURISDICTIONAL FINDINGS

11. The Applicant has demonstrated its eligibility to submit an application for a Comprehensive Permit to the Board, and the development fulfills the minimum project eligibility requirements set forth in 760 CMR 56.04(1) as follows:
 - a. The Applicant is a limited liability company, and has indicated in its application that it will conform to the limited dividend requirements of G. L. 40B, §§ 20-23, thus establishing it is a limited dividend entity. The Applicant has a principal address of 1 Office Square, Floor 26, Boston, MA 02109.
 - b. The Applicant has received a written determination of Project Eligibility from MassHousing dated November 17, 2020 under the New England Fund Program, a copy of which was provided to the Board with the original application.
 - c. The Applicant provided a copy of a letter from Julia Mirak Kew to Jessica Malcolm of MassHousing stating that a joint venture agreement forming the Applicant gives it authority to seek a comprehensive permit for the Property. The Subsidizing Agency determined that the Applicant has site control to pursue a comprehensive permit. Pursuant to 760 CMR 56.04(6), this determination is conclusive as to the issue of site control.
 - d. The Applicant has agreed to execute a Regulatory Agreement that limits its annual distributions in accordance with G. L. c. 40B and the regulations (760 CMR 56.00 et seq.) and guidelines adopted thereunder by DHCD.
12. The Town of Arlington ("Town") did not meet the statutory minima set forth in G. L. c. 40B, § 20 or 760 CMR 56.03(3) to 56.03(7) at the time the original application was filed, except as noted below:
 - a. At the time of the filing of the Application, the number of low or moderate income housing units in the Town constituted 5.7% of the total year-round housing units in the Town, based on the most recent publicly available copy of the DHCD Subsidized Housing Inventory, dated December 21, 2020. Thus, the Town does not meet the ten percent (10%) statutory minimum.
 - b. In another pending comprehensive permit application, the Board has asserted a claim that there are existing affordable housing units that are on sites that comprise more than one and one half percent (1.5%) of the total

Commented [PH2]: I'm not sure if this is the correct address for the LLC, since it is not registered in MA.

land area of the Town that is zoned for residential, commercial or industrial use (excluding land owned by the United States, the Commonwealth of Massachusetts, or any political subdivision thereof). The Board timely asserted this claim pursuant to 760 CMR 56.03(8). The Applicant appealed this claim to the Department of Housing and Community Development, which issued a decision dated November 17, 2016, reversing the Board's Safe Harbor determination. The Board appealed this decision to the Housing Appeals Committee. On October 15, 2019, the Housing Appeals Committee upheld the decision of the Department of Housing and Community Development. Without waiving its rights on the other pending application, the Board has chosen not to assert a 1.5% claim in this matter.

- c. The granting of this Comprehensive Permit will not result in the commencement of construction of low or moderate income housing units on a site comprising more than three tenths of one percent of land area in the Town or ten acres, whichever is larger, zoned for residential, commercial or industrial uses (excluding land owned by the United States, the Commonwealth of Massachusetts or any political subdivision thereof) in any one calendar year.
- d. The Town has an approved Housing Production Plan pursuant to 760 CMR 56.03(4), but is not currently within (or eligible for) certification.
- e. The Town has not achieved recent progress toward its housing unit minimum pursuant to 760 CMR 56.03(5).
- f. The Project as originally submitted does not constitute a Large Project pursuant to 760 CMR 56.03(6).
- g. The Applicant's Comprehensive Permit Application does not constitute a Related Application pursuant to 760 CMR 56.03(7).

III. FACTUAL FINDINGS

Location of Project

- 13. The Project is located on a previously developed 2.3 acre parcel of land located off Massachusetts Avenue in close proximity to Ryder Street. [Mill Brook and Ryder Brook](#) flow through the Property. The Property is located within the Industrial (I) Zoning District.
- 14. In addition to being located next to various commercial uses, the Project also

abuts a residential condominium complex at 9 Ryder Street.

Wetlands

15. The Applicant proposes the relocation of Ryder Brook, an intermittent stream that is not jurisdictional as a stream under the Wetlands Protection Act, but which is jurisdictional as an intermittent stream under the Arlington Wetlands Bylaw and Regulations.
16. The Property contains several additional resource areas under both the Wetlands Protection Act and/or the Arlington Wetlands Bylaw and Regulations. These resource areas include:
 - Bank to Mill Brook (Perennial Stream)
 - Bank to Ryder Brook (Intermittent Stream, local bylaw)
 - Land Under Waterbodies – Mill Brook
 - Land Under Waterbodies – Ryder Brook (local bylaw only)
 - Bordering Land Subject to Flooding associated with Mill Brook
 - 200-foot Riverfront Area – Mill Brook
 - 100-foot Adjacent Upland Resource Area – Mill Brook (local bylaw only)
 - 100-foot Adjacent Upland Resource Areas – Ryder Brook (local bylaw only)
 - 100-foot Buffer Zone to on-site Areas Subject to Protection (WPA and local bylaw)

17. The Project, as proposed, does not require any impacts to the FEMA Floodway or 100-Year FEMA Floodplain.

17,18. The Arlington Conservation Commission provided a determination that a significant portion of the Property is exempt from the riverfront standards (under both the WPA and local bylaw) due to the Historic Mill Complex exemption, as set forth on the plan entitled “Pre-1946 Mill Complex Footprint Exhibit” prepared by Bohler Engineering and dated August 7, 2020, revised September 21, 2020.

18,19. The Project will be required to obtain an Order of Conditions from the Arlington Conservation Commission pursuant to the Wetlands Protection Act.

19,20. The Property currently contains 4,135 square feet of pervious surface within the AURA. The Project, by the elimination of existing impervious surfaces, will increase the pervious area within the AURA to 11,450 square feet, an increase in pervious area of 7,315 square feet. This increase in pervious area within the AURA is a net benefit to the wetlands.

21. The Property currently contains 3,416 square feet of pervious area within the 200-foot riverfront area. The Project is proposed to increase the pervious area within the 200-foot riverfront area to 8,758 square feet, an increase of 5,342 square feet. This increase in pervious area results in a net benefit to the riverfront area.
22. The Project, as proposed, complies to Section 25E of the Arlington Regulations for Wetlands Protection because the plan will result in a decrease in total impervious surface within the first 50 feet of the AURA, which is considered an enhancement of the resource area.
- 20,23. The Project, as proposed, complies to Section 25F (1 and 2) of the Arlington Regulations for Wetlands Protection because the Project results in a decrease in total impervious surface within the AURA and there will be an enhancement of the Resource Area values. In addition, the Project significantly decreases the total impervious area onsite, and plantings are proposed throughout the development.
- 21,24. The proposed plan for relocating Ryder Brook provides enhanced resource area functions to the site, including habitat value, pollution prevention, storm damage prevention, and flood control. The existing Ryder Brook is approximately 120 linear feet long, and the proposed relocated Ryder Brook is approximately 200 linear feet long. The existing Ryder Brook has approximately 250 linear feet of Bank and 816 square feet of Land Under Water. The proposed relocated Ryder Brook has approximately 363 linear feet of Bank and 1880 square feet of Land Under Water. Ryder Brook currently contains mostly non-native plants. The proposed planting plan for Ryder Brook contains all native plants and coir fascine for natural erosion control and bank stabilization.
- 22,25. The Project is in compliance with Section 25D of the Arlington Regulations for Wetlands Protection because the Project proposes mitigation to increase the pervious area within the 0'-25' AURA, which is considered an enhancement of the resource area.
- 23,26. The Applicant submitted an alternatives analysis prepared by Bohler Engineering, in compliance with Section 25C of the Arlington Regulations for Wetlands Protection.
- 24,27. The Project will provide vegetative mitigation and resource area improvements, including improvements to habitat value, pollution prevention, storm damage prevention, and flood control along the relocated Ryder Brook and Mill Brook, all in compliance with Section 4(b) of the Arlington Regulations for Wetlands Protection.
- 25,28. The Applicant utilized NOAA 14+ data for the stormwater management

calculations, consistent with current best practices.

The Transportation Network

~~26~~29. Primary access to the Project will be from Massachusetts Avenue. Secondary access to Ryder Street will be exit only.

~~27~~30. The Project will provide one hundred and thirty-five (135) parking spaces, consisting of one hundred and twenty-six (126) garage parking spaces and nine (9) surface parking spaces. The Applicant has contracted with Workbar for the use of forty (40) parking spaces on weekdays, and ten (10) parking spaces overnight and weekends.

~~28~~31. The Project will provide ____ bicycle parking spots.

Civil Engineering, Site Design, and Stormwater Impact

~~29~~32. The Board engaged in review of potential civil engineering, site design, traffic, stormwater and floodplain impacts of the Project.

~~30~~33. The Project will connect to the Arlington municipal water and sewer systems.

~~31~~34. Approximately 93.6% of the site is currently covered by impervious surface. The Project will reduce the amount of the site covered by impervious surface to 77.5% of the Property. The Board finds that reduction in the total amount of impervious surface is a benefit to the Property.

35. Stormwater management has been designed to be in compliance with the Mass Stormwater management standards in accordance with 310 CMR 10.05(6)(k) through (q) and defined in detail in the MassDEP Stormwater Management Handbook. The system incorporates best management practices (BMP's) to facilitate total suspended solids (TSS) removal, infiltration and detention of stormwater flows.

General

~~32~~36. The Project, as conditioned herein, will address the lack of affordable rental units in the Town.

~~33~~37. The Board finds that the conditions imposed in Section IV of this Decision are necessary in order to address Local Concerns. The Board finds that such conditions will not render the project uneconomic. To the extent that such conditions may render the project uneconomic (as defined in 760 CMR 56.02),

the Board finds that the Local Concerns outweigh the potential benefits of the proposed affordable units.

~~34.~~38. The Board finds that granting certain waivers from local by-laws and regulations is acceptable even though granting waivers may have an adverse impact on Local Concerns.

~~35.~~39. The Board acknowledges concerns raised by abutters and other interested parties about the Project's potential incompatibility with abutting residential uses, particularly relating to traffic and parking impacts. The Board has addressed these concerns by the imposition of appropriate conditions. The Board further finds that conditions detailed below appropriately address these matters of local concern in a manner that outweighs the regional need for affordable housing. The Board finds that the conditions imposed below address local and regional housing needs while properly protecting valid issues of local concern.

~~36.~~40. The Board finds that the construction of the Project, as conditioned, will be consistent with local needs.

IV. CONDITIONS

A. **General**

- A.1 The holder of this Comprehensive Permit is 1165R Mass MA Property, LLC. The Property is defined as the property located at 1165R Massachusetts Avenue, Arlington, Massachusetts, shown on a plan entitled "ALTA/NSPS Land Title Survey, 1165R Mass MA Property, LLC" prepared by Control Point Associates, Inc. and dated July 16, 2020, with revisions through _____, 2021. The Project is defined as all features shown on the plans listed below in Condition A.2 or as otherwise required by this Comprehensive Permit.
- A.2 Except as may be provided for in the following Conditions or in the Final Plans referenced below, the Project shall be constructed substantially in conformance with the plans and drawings listed below in this Condition A.2, which for purposes of this Comprehensive Permit shall be considered the Approved Plans for the Project ("Approved Plans"). Minor changes to the Approved Plans (e.g., changes that do not materially affect the location of, or increase the height or massing of the structures, or increase the number of units contained in the residential buildings) shall be submitted to the Director of Planning and Community Development who shall have the authority to approve such changes as immaterial changes. If the Director of Planning and Community Development determines that the proposed changes do not conform to the requirements of this Comprehensive Permit, they shall so notify the Applicant and the Applicant shall

Decision on Application for Comprehensive Permit
1165R Mass MA Property, LLC
1165R Massachusetts Avenue, Arlington, MA
_____, 2021
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either bring the plans into conformance with this Decision or seek modification in accordance with 760 CMR 56.05(11). The Approved Plans consist of the following plan set from Control Point Associates, Inc., and Bohler Engineering:

“ALTA/NSPS Land Title Survey, 1165R Mass MA Property, LLC” dated July 16, 2020, with revisions through _____, 2021, and consisting of the following sheets:

Sheet 1 of 4 “ALTA Survey (existing conditions plan)”
Sheet 2 of 4 “ALTA Survey (flood zone plan)”
Sheet 3 of 4 “ALTA Survey (easement plan)”
Sheet 4 of 4 “ALTA Survey Notes”

“Proposed Site Plan Documents for Spaulding and Slye Investments, 1165-1167 Massachusetts Avenue” prepared by Bohler Engineering and dated June 15, 2020, with revisions through _____, 2021, and consisting of the following sheets:

C301 Site Layout Plan
C401 Grading and Drainage Plan

Architectural details contained in the plans entitled “Redevelopment of 1165\$ Massachusetts Avenue”, prepared by Bargmann, Hendrie and Archetype, Inc., and dated June 16, 2020, with revisions through _____, 2021, and consisting of the following sheets:

A000 Title Sheet
L101 Landscape Plan
A001 3D Views
A002 Site Plan
A003 Overall Floor Plans
A004 Building #1, #3, #4 First Floor Plan
A005 Building #1, #3, #4 Second Floor Plan
A006 Building #1, #3, #4 Third Floor Plan
A007 Building #1, #3, #4 Fourth Floor Plan
A008 Building #4 Fifth and Sixth Floor Plan
A009 Building #4 Roof Plan
A010 Building # 2 Floor Plans
A011 Typical Unit Plans
A012 Building #1, #4 Elevations
A013 Building #2 Elevations
A014 Building Sections & Building #3 Elevations

Lighting details are contained in the plan entitled “Proposed Site Plan Documents for 1165R Mass MA Property, LLC” prepared by Bohler Engineering and dated October 5, 2020, with revisions through _____, 2021, and consisting of the following sheet:

C-701 Lighting Plan

Utility details are contained in the plan entitled “Proposed Site Plan Documents for 1165R Mass MA Property, LLC” prepared by Bohler Engineering and dated July 15, 2020, with revisions through _____, 2021, and consisting of the following sheet:

C-501 Utility Plan

- A.3 The Applicant shall be a Limited Dividend Entity as required by Chapter 40B and its successors and assigns shall comply with the limited dividend and other applicable requirements of Chapter 40B and the regulations adopted thereunder.
- A.4 The Project shall consist of not more than one hundred and thirty (130) rental apartment units, located in four (4) residential structures, and other related residential amenities, all as shown on the Approved Plans. The Project shall consist of no more than one hundred and eighty-seven (187) bedrooms.
- A.5 There shall be one hundred and thirty-five (135) vehicle parking spaces (inclusive of required handicap spaces).
- A.6 Pursuant to the revised Waiver List submitted to the Board and attached hereto as Exhibit A, the Applicant has requested, and the Board has granted, those waivers from the Arlington Zoning Bylaw and other local by-laws and regulations as specified therein. No waivers are granted from requirements that are beyond the purview of G.L. c. 40B, §§ 20-23. No waiver of permit or inspection fees has been granted. Any subsequent revision to the Approved Plans, including but not limited to revisions in the Final Plans, referenced below, that requires additional or more expansive waivers of any local by-laws or regulations, must be approved by the Board in accordance with 760 CMR 56.05(11).

- A.7 Except as otherwise specifically provided herein, where this Decision provides for the submission of plans or other documents for approval by the Director of Planning and Community Development or other Town Departments, the Director of Planning and Community Development or applicable Department Head will use reasonable efforts to review and provide a written response within forty-five (45) days following submission. For submissions that require assistance from an outside consultant, as determined by the Director of Planning and Community Development or applicable Department Head, the thirty-day time period shall not begin until the consultant's fee has been fully funded by the Applicant. Should forty-five (45) days elapse without a response as aforesaid, said plans or documents shall be deemed approved.
- A.8 This Comprehensive Permit may be subsequently assigned or transferred pursuant to 760 CMR 56.05(12)(b). The pledging of the Property as security under any conventional loan financing terms as set forth in the financing entity's Loan Documents or any foreclosure sale pursuant to the same shall not constitute an assignment or transfer under this paragraph.
- A.9 The provisions of this Comprehensive Permit Decision and Conditions shall be binding upon the successors and assigns of the Applicant, and the obligations shall run with the land. In the event that the Applicant sells, transfers, or assigns its interest in the development, this Comprehensive Permit shall be binding upon the purchaser, transferee, or assignee and any successor purchasers, transferees or assignees. The applicable limited dividend restrictions shall apply to the owner of the project regardless of sale, transfer, or assignment of the project.
- A.10 The sidewalks, driveways, roads, utilities, drainage systems, and all other on-site infrastructure shown on the Approved Plans as serving the Project shall remain private in perpetuity, and the Town shall not have, now or in the future, any legal responsibility for the operation or maintenance of the infrastructure, including but not limited to snow removal, landscape maintenance, and hydrant maintenance. In this regard, the proposed site access ways within the Project shall not be dedicated to or accepted by the Town.
- A.11 Unless otherwise indicated herein, the Board may designate an agent to review and approve matters on the Board's behalf subsequent to this Decision.

B. Affordability

- B.1 Except as may otherwise be allowed by the Subsidizing Agency MassHousing or other Subsidizing Agency, pursuant to the applicable subsidy program, a minimum of twenty-five percent (25%) or thirty-three (33) units of the rental units shall be reserved for income-eligible households, meaning that they shall be rented to and occupied by households, as proposed by the Applicant, whose income (adjusted for household size) is not more than eighty percent (80%) of the Area Median Income (“AMI”), as determined by the United States Department of Housing and Urban Development (“HUD”) and the Subsidizing Agency (the “Affordable Units”). Affordable Units shall, upon initial designation, be dispersed throughout the Project in accordance with the guidelines of the Subsidizing Agency, except for fluctuations based on changes of household eligibility income allowed by the Regulatory Agreement. The Applicant shall be responsible for maintaining records sufficient to comply with the Subsidizing Agency guidelines for the location of Affordable Units in the Project and occupancy of such Affordable Units by income-eligible households. As will be set forth more fully in the Regulatory Agreement, the location of the affordable units may change in the event that the income of a household occupying an affordable unit increases beyond allowable program limits. The Board acknowledges that affordable unit location is an issue within the exclusive jurisdiction of the Subsidizing Agency.
- B.2 All of the Project’s Affordable Units shall be restricted for rental to households earning no more than the maximum allowable household income, adjusted for household size, as determined by MassHousing or any substitute Subsidizing Agency. The Affordable Units shall be maintained as affordable in perpetuity, which for the purposes of this Decision shall mean for so long as the Property does not comply with applicable zoning requirements without the benefit of this Comprehensive Permit.
- B.3 The Applicant shall obtain approval by the Subsidizing Agency of an Affirmative Fair Housing Marketing Plan (“AFHMP”) prior to the rental of any Affordable Units, and shall ensure that the Project complies with the Subsidizing Agency’s Fair Housing requirements.
- B.4 For the initial rent-up of the Project, the maximum number of Affordable Units allowed by law and the applicable subsidy program, but not more than seventy percent (70%) of the Affordable Units, shall be reserved for households that qualify under a local preference definition which must be approved by the Subsidizing Agency prior to any marketing efforts as part of the AFHMP. A lottery shall be established in a form approved by the Subsidizing Agency and/or the Project’s Monitoring Agent to effectuate this local preference, with an approved secondary lottery for all other Applicants. The Applicant shall assist the Department of Planning and Community Development in the submittal of any

Commented [PH3]: The Board may not want to include a local preference.

evidence required by the Subsidizing Agency to support this local preference requirement. The Board acknowledges that it will be required to provide evidence satisfactory to the Subsidizing Agency of the need for the foregoing local preference and to obtain approval of the categories of persons qualifying for the same, and in no event shall the Applicant be in violation of the terms of this Comprehensive Permit to the extent the Subsidizing Agency disapproves the local preference requirement or any aspect thereof. The Applicant shall provide reasonable and timely assistance to the Department of Planning and Community Development in providing this evidence. If the Board or its designee does not provide such information within sixty (60) days of a written request by the Applicant, its Lottery Agent, the Subsidizing Agency, then this condition shall be void unless the Applicant has failed to provide reasonable and timely assistance as described above.

C. Submission Requirements

- C.1 Prior to any construction or site development activities (including site clearing, tree removal, grading, etc.) on the Property, whether or not pursuant to a building permit (except as allowed by the Director of Planning and Community Development, as noted below), the Applicant shall:
- a. Deliver to the Board a check in a reasonable amount determined by the Director of Planning and Community Development to be used for staff to retain outside experts, if necessary, for technical reviews and inspections required under these conditions but at inception shall not exceed \$6,500 unless an alternate amount has been agreed upon by the Board and the Applicant. Said funds shall be deposited by the Board in an account pursuant to G. L. c. 44, § 53G and shall only be used for technical reviews and inspections associated with this Project. Any unspent funds shall be returned to the Applicant with accrued interest at the completion of the project. If at any time the Board reasonably determines that there are insufficient funds to cover the costs of technical reviews, it shall inform the Applicant and the Applicant shall forthwith deliver additional funds as specified by the Board in a reasonable amount as may be determined by the Board. Said funds may be used by the Board to hire civil engineering, traffic engineering, and/or other professionals that the Board deems reasonably necessary to ensure compliance with the conditions hereof.
 - b. Obtain and file a copy of a National Pollution Discharge Elimination System (NPDES) Permit from the U.S. Environmental Protection Agency (EPA), if necessary. The Board shall also be provided a copy of the Stormwater Pollution Prevention Plan (SWPPP) submitted along with the NPDES filing.

- c. Submit to the Board for review and administrative approval Final Engineering Drawings and Plans (“Final Plans”), such approval to be that the plans conform to the requirements of this Comprehensive Permit and incorporate the relevant conditions herein. The Final Plans shall also incorporate all relevant conditions and requirements of permitting agencies having jurisdiction. Applicable sheets of the Final Plans shall be signed and sealed by the Professional Land Surveyor of record, the Professional (Civil) Engineer of record, and a Registered Landscape Architect. Final Architectural Plans shall be stamped by a Registered Architect. The Final Plans shall be submitted to the Board at least forty-five (45) days prior to the anticipated date of commencement of building construction or submission of an application for building permits, whichever is earlier (the “Final Site Plan Submission Date”). The plans should reflect changes to surface parking, proposed grading, stormwater systems, the stream channel cross section, erosion and sedimentation control (particularly around the relocated Ryder Brook), and other relevant site features.
- d. Submit to the Board for its administrative approval, a landscaping plan with the Final Plans, signed and sealed by a Registered Landscape Architect, depicting the following:
 - i. Overall planting plan that includes a demarcation of clearing and the limits of work;
 - ii. Planting plans for drives showing shade trees and lighting fixture locations;
 - iii. Planting plan for relocated Ryder Brook;
 - iv. Planting plan for areas along Mill Brook;
 - v. Plans of walkways in open space and recreation areas, if any;
 - vi. Prototype planting plans for each building;
 - vii. Prototype screening plans for dumpsters, depicting plantings and fencing;
 - viii. Planting schedules listing the quantity, size, height, caliper, species, variety, and form of trees, shrubs, and groundcovers;

~~viii~~x. Tree protection and preservation plans

~~vii~~x. Construction fencing along abutting property lines; and

~~ix~~xi. Construction details.

All plantings shall consist of native, non-invasive, ~~drought-tolerant non-cultivar~~ species. Plantings installed along drives and walkways shall also be salt-tolerant. ~~Twelve (12) months after completion of plantings, the Applicant shall remove and replace any dead or diseased plantings and trees serving as screening.~~ All plantings installed onsite shall be monitored for three years after completion of plantings. A survival rate of 80% must be achieved at the end of the third monitoring year. If 80% survival is not achieved then replacement plants shall be planted. The contract with the Management Company shall address ongoing maintenance of landscaping features.

- e. Submit to the Director of Planning and Community Development a construction mitigation plan including, but not limited to, dust control measures, fill delivery schedules, stockpiling areas, and like matters. Other than site work and such other work as may be authorized in writing by the Director of Planning and Community Development, no other construction of units shall commence and no building permits shall be issued under this Comprehensive Permit until the Director of Planning and Community Development and other applicable staff has approved the Final Plans as being in conformance with this Decision. If no written response or comments have been given to the Applicant by the Building Commissioner and/or Director of Planning and Community Development concerning the Final Site Plans within forty-five (45) days after the Final Site Plan Submission Date, the Final Plans, as delivered, will be deemed to have been approved.

- f. The Applicant shall include on the Final Plans all of the various changes that have occurred during the hearing process. These plans should reflect site plan changes including but not limited to surface parking, proposed grading, stormwater systems, garage elevation, and other relevant site features.

- f.g. The Applicant shall submit a revised final Stormwater Report including Operations and Maintenance Plan documenting the various changes in the design that have occurred during the review process.

~~g.h.~~ The Final Plans shall show designated snow storage areas. [All designated snow areas shall be outside of wetland resource areas.](#)

~~h.i.~~ The Applicant must provide notification to the Arlington Assessor's Office for address and unit numbering.

C.2 Prior to the issuance of any building permits, the Applicant shall:

- a. Record this Comprehensive Permit and the Subdivision Plan endorsed by the Board with the Middlesex South Registry of Deeds, at the Applicant's expense, and provide proof of such recording with the Board.
- b. Submit to the Board and the Director of Planning and Community Development evidence of Final Approval from the Subsidizing Agency (DHCD), as required by the Project Eligibility letter and the Chapter 40B regulations.
- c. Submit to the Board a copy of the Regulatory Agreement and Monitoring Services Agreement for the Project. Execution and recording of such Regulatory Agreement with DHCD shall be complete prior to the issuance of any building permit. It is understood and agreed that Monitoring provisions may be included with the Regulatory Agreement, in lieu of a separate Monitoring Services Agreement.
- d. Submit to the Building Commissioner final Architectural Plans prepared, signed and sealed by an architect with a valid registration in the Commonwealth of Massachusetts ("Architectural Plans"). The Architectural Plans shall be submitted in such form as the Building Commissioner may request pursuant to the State Building Code.
- e. An automatic sprinkler system conforming with NFPA 13 and a fire alarm system conforming to NFPA 72 shall be required in all residential buildings. Both systems shall be monitored by a UL approved central station monitoring service.
- f. Obtain and file with the Building Commissioner a copy of all required Federal, State, and local permits and approvals required to begin construction of the Project.
- g. Obtain all necessary building, electrical, plumbing, and associated permits required to begin construction of the Project required by state law (it is understood that compliance with this requirement is part of the building permit process, rather than required prior to the issuance of building

- permits).
- h. The Applicant will be responsible for all applicable sewer permit, capacity impacts and privilege fees, as applicable.
 - i. The Applicant will be responsible for all applicable water and sewer system fees as per officially promulgated fee schedules uniformly applicable to all other Town of Arlington projects.
 - j. The Applicant shall perform additional test pits at the proposed stormwater basins to confirm groundwater elevations. These test pits shall be done during seasonal high groundwater conditions and shall be witnessed by the Town and/or its agent.

D. Construction Completion/Certificate of Occupancy

- D.1 Prior to issuance of a certificate of occupancy for any structure in the Project, the Applicant shall:
- a. Submit engineer's interim certification of compliance with utilities plan and profiles for such Phase (as applicable) to the Building Commissioner.
 - b. Provide a letter to the Board, signed by the Applicant's civil engineer, certifying that the structure and supporting infrastructure has been constructed in compliance with the Final Plans in all material respects.
 - c. Obtain acceptance from the Arlington Fire Department of testing of all fire protection systems, fire alarm systems, fire sprinkler systems, and local smoke alarms within the dwelling units of the structure.
 - d. Obtain a sewer connection sign-off from the Arlington Department of Public Works for the structure.
- D.2 Prior to issuance of the certificate of occupancy for the Project, the Applicant shall:

- a. Submit to the Board, in digital file format and full-size paper copies, a final as-built plan including profiles, showing actual-in ground installation of all applicable utilities, rim and invert elevations, roadway, sidewalk and associated construction. The file format shall be in AutoCAD file delivery shall be in full model view and individual sheet views. The digital file shall include property boundaries, dimensions, easements, rights-of-way, edge of pavement, edge of sidewalk, edge of water bodies, wetland boundaries, topographic contours, spot elevations, parking areas, road centerline and associated text. Said digital data shall be delivered in the Massachusetts State Plane Coordinate System, North American Datum 1983 and North American Vertical Datum 1988, in U.S. Survey Feet.
- b. The Applicant shall provide to the Board evidence of a property management plan (if property management will be done in-house), or shall provide a copy of a contract with a Management Company if property management will be conducted by a third-party. The Applicant shall submit to the Board all information relating to the issues of building security, public access, pet policy, staffing, trash removal, [vegetation management](#), and smoking policies, and other issues addressed in the conditions herein.

E. Project Design and Construction

- E.1 Prior to the commencement of any work on the Property, the Applicant and the site general contractor shall attend a preconstruction conference with representatives from the Arlington Fire Department, the Department of Public Works (Arlington Water and Sewer Division and Engineering Division), Planning and Community Development and other Town staff and consultants as may be determined. The Applicant and the site general contractor shall host a meeting open to all members of the public to review the construction schedule, hours, policies, procedures, and other neighborhood impacts at least fourteen (14) days prior to the start of construction.
- E.2 Prior to the pre-construction conference, the Applicant shall submit a Construction Management Plan ("CMP") for administrative approval by the Board. The CMP shall provide documentation of various construction related activities, including:
 1. A Project Description and outline of primary construction tasks,
 2. A Project Schedule including hours of operation, duration of primary construction tasks and estimated completion date,
 3. Project logistics, including staging areas, truck routes, laydown areas, contractor parking, and construction traffic management,

4. Site Management including noise mitigation, dust control and security,
 5. Public Safety and Coordination, including contact information and site inspections.
 6. [Coordination with the Town to provide advance email or website information regarding construction activities for public information.](#)
- E.2 The Applicant shall permit representatives of the Board to observe and inspect the Property and construction progress until such time as the Project has been completed and the final occupancy permit issued.
- E.3 The proposed construction shall be in accordance with applicable Federal and State laws, rules and regulations.
- E.4 All site retaining walls four (4) feet or greater in height shall be designed by a Massachusetts Professional Structural Engineer.
- E.5 During construction, the Applicant shall conform to all local, State, and Federal laws and provide advance notice to abutters per the Town's Residential Construction Control Agreement regarding noise, vibration, dust, and blocking of Town roads in order to accommodate delivery of materials to the site or for other construction staging purposes. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Adequate provisions shall be made by the Applicant to control and minimize dust on the site during construction in accordance with the construction mitigation plan. The Applicant shall keep all portions of any public way used as access/egress to the Project free of soil, mud or debris deposited due to use by construction vehicles associated with the Project.
- E.6 Appropriate signage shall be shown on the Final Plans, consistent with the sign information shown on the Approved Plans. A temporary sign including the name and address of the project and contact information for the Applicant, general contractor, engineers, architect, and other relevant parties shall be posted on site for the duration of construction operations.
- E.7 The location of all utilities, including but not limited to electric, telephone, and cable, shall be shown on the Final Plans. All transformers and other electric and telecommunication system components shall be included on the Final Plans.
- E.8 The Applicant shall use electric heat and hot water for the Project, if reasonably available at the time of the submission of Final Plans.

Commented [PH4]: Is the Applicant proposing electric heat/hot water?

- E.9 The Applicant shall install lighting on the site that conforms to the Town of Arlington's Zoning Bylaw and Town Bylaw. Lighting shall be down-lit/shielded to prevent light spillover onto surrounding properties and comply with dark sky requirements. Management of outdoor lighting shall be the responsibility of the Applicant.
- E.10 Utilities, including but not limited to telephone, electric, and cable, shall be located underground. The contract with the Property Management Company shall note that no satellite dishes shall be allowed. The general contractor shall be responsible for coordinating all subsurface work with Dig Safe prior to the commencement of any excavation.
- E.11 Soil material used as backfill for pipes, access drives, or structures shall be certified by the Geotechnical Engineer to the Building Commissioner as meeting design specifications, as applicable.
- E.12 The Applicant shall test the soil during construction to confirm soil types in the areas of the infiltration system. Such testing shall be witnessed by the Board's designee. All unsuitable material, if any, discovered in excavation for the infiltration system shall be removed and disposed of in accordance with State and local regulations.
- E.13 Construction activities shall be conducted between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays, Sundays, or legal holidays. For purposes of this condition, construction activities shall be defined as: start-up of equipment or machinery, delivery of building materials and supplies; delivery or removal of equipment or machinery; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities both on and off the site; removal of stumps and debris; loading of construction dumpsters and erection of new structures. All off-site utility work shall be coordinated and approved by the Building Department and shall not be subject to the timing restrictions set forth above. Parking of all vehicles and equipment must be on the Property during construction.
- E.14 Burning or burial of construction or demolition debris on the site is strictly prohibited. All such materials are to be removed from the site in accordance with applicable law. During construction, the site shall be secured against unauthorized entry or vandalism by fencing, or other appropriate means, and all construction materials shall be stored or stockpiled in a safe manner. Any floodlights used during the construction period shall be located and directed so as to prevent spillover or illumination onto adjacent properties. All construction activities are to be conducted in a workmanlike manner.

Commented [PH5]: The Board needs to decide whether it wants to impose this as a condition. I believe that there are overhead lines on the Property currently.

- E.15 No building areas shall be left in an open, unstabilized condition longer than sixty (60) days. Temporary stabilization shall be accomplished by hay bales, hay coverings or matting. Final stabilization shall be accomplished by loaming and seeding exposed areas.
- E.16 All dumpsters serving the Project shall be enclosed and covered (with the exception of construction dumpsters used during construction). The Board shall review the dumpster location as part of the approval of the Final Plans if different from what has been shown on the Approved Plans.
- E.17 All retaining walls visible from a public way or direct abutters, as determined by the Building Commissioner based upon the time of year when such walls would be most visible, shall be constructed in an aesthetic manner. Specifically, retaining walls shall avoid the use of exposed concrete to the greatest extent practicable.
- E.18 Snow shall be stored within the areas of the Property designated on the Approved Plans. To the extent snowfall exceeds the capacity of the designated snow storage areas, the Applicant shall truck the excess snow off-site. Snow may not be placed in or adjacent to resource areas.
- E.19 The Applicant shall comply with all applicable local, state and federal requirements relating to noise from construction activities, including the regulations contained at 310 CMR 7.10 and the DEP's Noise Policy contained in DAQC Policy 90-001 as well as the Arlington Noise Abatement Bylaw contained at Title V, Section 12. The Applicant shall also implement all necessary controls to ensure that vibration from construction activities does not constitute a nuisance or hazard beyond the Property. Upon notification from appropriate municipal officials, the Applicant shall cease all construction activities creating noise in excess of state and federal standards, and shall implement such mitigation measures as is necessary to ensure the construction activity will comply with applicable State and Federal requirements.
- E.20 The Applicant is responsible for the sweeping, removal of snow and sanding of the internal roadways and driveways providing access to both the residents of the Project and emergency vehicles. Neither snow nor sand may be placed in or adjacent to resource areas.
- E.21 The Applicant shall maintain all portions of any public road, whether state or local roads, used for access to the Property by construction vehicles, free from soil, mud or debris deposited due to such use during the duration of construction.

- E.22 The Applicant shall comply with DPW requirements regarding curb-cut permits.
- E.23 To the extent earth removal is necessary, the Applicant shall prepare an earth removal plan, showing all necessary cuts and fills, and describing the number of truck trips necessary for the earth removal.
- E. 24 All catch-basins shall have oil/water separators as shown on the Approved Plans.
- E. 25 Project sidewalks and pathways/walkways shall be compliant with the requirements of the Americans with Disabilities Act (“ADA”) and the requirements of the Massachusetts Architectural Access Board (“AAB”).
- E. 27 This Comprehensive Permit shall be a master permit which is issued in lieu of all other local permits or approvals that would otherwise be required, except for the issuance of Building Permits and Certificates of Occupancy by the Building Department under the State Building Code; provided, however, the Applicant shall pay all local fees for such permits or approvals as published in the Town regulations or bylaws, including but not limited to building permits, inspections, water and sewer connections, and curb cuts.
- E.28 Ryder Street shall not be used for construction deliveries between the hours of 7:30 AM to 8:30 AM and 3:00 PM to 4:00 PM on school days as provided in the letter from Krattenmaker, O’Conner & Ingber, PC to Christian Klein, Chairperson dated June 8, 2021.
- E.29 The Applicant shall perform a preconstruction and post construction survey of adjacent properties on Ryder Street and the Massachusetts Avenue right of way including photographs and/or video.
- E.30 The Applicant shall monitor vibrations in the vicinity of the properties adjacent to Ryder Street throughout the course of construction. The location of vibration monitors shall be coordinated with the Board or its designee.
- E.31 The Applicant has submitted truck path diagrams to the Board showing turning paths for construction vehicles accessing the site. The diagrams were prepared by Bohler Engineering dated June 7, 2021. The truck paths shall be maintained free of stockpiles, stored equipment, debris and other construction materials to ensure adequate construction and emergency access.

F. Traffic/Traffic Safety Conditions / Sidewalks

- F.1 Site access will be provided via Ryder Street to the west, an existing right of way from Massachusetts Avenue to the south, and Quinn Road to the east. The Site will be signed directing vehicles to enter via the Massachusetts Avenue right of way or Quinn Road and exit via Ryder Street. Both the Ryder Street and Massachusetts Avenue /Quinn Road driveways will allow two-way travel for existing abutting uses.
- F.2 The Applicant shall install all proposed traffic signs and pavement markings shown on the approved final plans. Signs and markings shall conform to the Manual on Uniform Traffic Control Devices (MUTCD), latest edition and other applicable state or local requirements.
- F.3 The proposed site provides 128 parking spaces in a combination of structured garage spaces and surface parking spaces. No changes to the number, configuration or designation of parking spaces shown on the final approved plans shall be made unless approved by the Board through a modification process.
- F.4 Turn restrictions shall be incorporated for vehicular traffic exiting the property at Ryder Street. These restrictions include prohibiting right turns onto Ryder Street except for bicycles. Parking restrictions for residents shall also be incorporated. To reinforce these restrictions, the Applicant shall:
- a. Provide a transportation package to all residents which shall include turn restrictions at Ryder Street, access/egress restrictions, no resident or guest parking on Ryder Street.
 - b. Have the on-site property manager promptly address any reported infractions with the resident including providing written warnings.
 - c. Advise residents who have repeated infractions and warnings that their lease will not be renewed once it terminates.
- F.6 Guest parking will be managed by the on-site property manager. Guest parkers shall be required to register their vehicles with the property manager in advance and shall be assigned a designated parking space.
- F.7 Four (4) short term parking spaces shall be provided and maintained in the courtyard for taxis, rideshare vehicles, deliveries and visitors remaining for 1 hour or less.
- F.8 The Applicant shall ensure that emergency vehicles can adequately maneuver through the site. The Arlington Fire Department shall review the Final Plans to ensure compliance with this condition.

Commented [PH6]: Confirm whether the total number of parking spaces is 128 or 135.

- F.9 The Applicant shall provide ____ long-term bicycle parking spaces that are covered and secure.
- F.10 The Applicant shall provide ____ outdoor short-term bicycle parking spaces. These spaces shall be near a location of public building access, such as the courtyard area.
- F.11 The Applicant shall provide new residents with transportation information packets with information on getting around Arlington sustainably.
- F.12 The Applicant shall provide Transitscreen installation in the building lobby which depicts accurate real-time information for public transit, car sharing, and ride sharing services within one (1) mile of the site.
- F.13 With the exception of designated affordable housing units, parking for units shall be subject to an additional monthly fee, separate from rent, in order to discourage motor vehicle ownership in the Project.
- F.14 The Applicant shall provide electric vehicle charging stations at 5% of the parking spaces in the garage. The Applicant shall provide for the expansion of the number of charging stations in accordance with tenant demand.

Commented [PH7]: Is this a condition the Board wants to impose?

Commented [PH8]: Again, does the Board want to impose this as a condition?

Commented [PH9]: See above.

G. Police, Fire, and Emergency Medical Conditions

- G.1 The Applicant shall provide professional property management and maintenance personnel on the premises during typical business hours and an emergency contact name and number for tenants and the Arlington Police Department and Fire Department.
- G.2 Stairwells and garages must be two-hour fire rated. Residential units must be one-hour fire rated.
- G.3 The residential structures shall be fully sprinklered to NFPA regulations.
- G.4 Compliance with all State Building Code and NFPA requirements relating to fire access and safety shall be met.
- G.5 All elevators must have emergency generator backup.
- G.6 The Project shall maintain fire access to all four sides of each residential structure at all times.

- G.7 The Project shall provide adequate external lighting to ensure safety of the residents of the Project. External lighting shall conform to the requirements of the local Regulation of Outdoor Lighting [Title V, Section 14].
- G.8 As proposed by the Applicant, the Project shall have a card access system with time stamps and shall have a superintendent on-site to address security concerns with the Police Department.
- G.9 During times of construction, the Project, including all structures shall be accessible to Fire Department and other emergency vehicles. Additionally, all hydrants shall be operational during construction in accordance with NFPA requirements. Standpipes shall be operational on each floor during construction, as required by the Building Code and the Fire Department.
- G.10 The Applicant shall consult with the Fire Department prior to the commencement of construction to provide an on-site emergency plan, which shall be updated as necessary throughout the construction process.

H. Water, Sewer and Utilities

- H.1 The Applicant shall be responsible for the design and installation of the utilities servicing the Project.
- H.2 All water and sewer infrastructure shall be installed in conformance with the Arlington Water and Sewer Division's technical requirements. The Applicant shall provide the Arlington Water and Sewer Division with calculations to ensure the distribution system for the area has the necessary capacity to meet system demand required prior to the commencement of construction.
- H.3 Fire hydrants shall be placed as shown on the Approved Plans in locations approved by the Arlington Fire Department. If the Arlington Fire Department approves different hydrant locations, such modification shall be accepted administratively as an insubstantial change pursuant to 760 CMR 56.05(11).
- H.4 The service size for the domestic water service should be verified by the Arlington Water and Sewer Division and information on the fire service size and requirements should be verified by the Arlington Fire Department. The Applicant shall submit information regarding the size of both the domestic and fire services as part of Final Plans, after consultation with the Arlington Water and Sewer Division. The Applicant shall replace the water main, hydrants and gate valves. Any connections to the Town water main shall be triple-gated and a tee connection.

- H.5 The water and sewer utilities servicing the buildings in the Project shall be installed and tested in accordance with applicable Town requirements and protocols, except as may be waived herein.
- H.6 Utilities shall be installed underground by the Applicant using methods standard to those installations. Utilities shall be defined as electric service lines, telephone lines, water service lines, CATV lines, municipal conduit and the like. The Applicant shall request a Grant of Location from the Select Board for any installation of new utility poles or underground conduit in the public right of way as needed.
- H.7 The Applicant shall be responsible for all trash and recycling removal from the Property. The Town of Arlington shall not have any responsibility for trash, recycling, compost, and/or yard waste pickup at the Property.
- H.8 Fire hydrants shall remain private, and shall be maintained by the Applicant.
- H.9 The location of the existing utility pole within the right of way from Massachusetts Avenue has been noted as a safety concern by the Board and the public. The Applicant has indicated that the existing utility pole cannot be relocated due to various constraints. The Applicant has stated that they have worked with the utility owner and adjacent property owner but have not come to a feasible resolution. The Applicant should continue to work to resolve this issue including further exploration of relocating the pole further east but within the right of way. Prior to initiating construction, the Applicant shall provide the Board with a written summary of the coordination efforts between the Applicant and the utility owner regarding the relocation of the pole. If it is finally determined that the pole cannot not be relocated, the Applicant, prior to construction, shall provide the Board with a plan for mitigating safety and visibility issues related to the pole.

I. Wetlands/Floodplain/Environmental Conditions

- I.1 Prior to the commencement of construction, erosion control measures shall be installed consistent with the Approved Plans.
- I.2 No uncovered stockpiling of materials shall be permitted within the 100 foot Wetland Buffer Zone or Adjacent Upland Resource Areas (“AURA”) or other resource areas.
- I.3 No dumpsters shall be allowed within the AURA or other Resource Areas.
- I.4 No heavy equipment may be stored within the AURA of other Resource Area.

I.5 Any dirt or debris spilled or tracked onto any paved streets shall be swept up and removed daily.

I.6 Any water discharged as part of any dewatering operation shall be passed through filters, on-site settling basins, settling tank trucks, or other devices to ensure that no observable sediments or pollutants are carried into any Resource Area, street, drain, or adjacent property. Any catch basins, drains, and outfalls to be used in dewatering operations shall be cleaned out before operations begin.

I.67 Prior to commencement of construction, the Applicant must hire a qualified environmental monitor with professional credentials to be selected by the Board and to be on-site throughout the duration of the project. This period shall begin when siltation controls are installed and shall end with issuance of a Certificate of Compliance. The monitor shall submit an electronic report to the ZBA weekly regarding construction progress, relation to resource areas, and shall state whether such work is in their professional opinion in compliance with the comprehensive permit. During the duration of the project, the qualified environmental monitor shall also submit an electronic report after every rain event exceeding 0.5 inches of rain in a 24-hour period to the ZBA regarding the condition of the site during and after the rain event, as well as the status of erosion controls and any additional measures to address stormwater management issues caused by said rain event. The ZBA reserves the right to change the frequency of inspections based on contractor performance, weather, or site conditions. All materials required to be submitted to the ZBA shall also be submitted to the Environmental Monitor.

I.78 The Applicant must hire a professional engineer to oversee the installation of the stormwater management system. A stormwater mitigation report must be submitted to the ZBA within 10 days of the completion of the stormwater management system. The stormwater report shall include as-built plans, photographs from installation, and a written summary of the installation of the stormwater management system and stormwater best management practices (e.g., porous pavement and other stormwater features, as applicable).

I.9 The Applicant shall submit the contact information of the party responsible for monitoring and maintaining the planted vegetation within stream relocation areas to the ZBA. Should any changes be made to this party, the ZBA shall be notified. This shall be a continuing condition in perpetuity that survives the expiration of this permit.

- | I.~~8~~10 To avoid adding excess nitrogen runoff, the Applicant shall only treat the planted areas within resource areas with slow release nitrogen fertilizer. Application of this fertilizer cannot occur in the summer, or after storm events. Lawn fertilizer shall only be applied twice a year, in spring and fall. The application of plant nutrients shall otherwise comply with 330 CMR 31.00. No other herbicides or treatment methods are approved. No pesticides or rodenticides shall be used to treat pest management issues within Resource Areas. These shall be continuing conditions in perpetuity that survives the expiration of this permit.
- | I.911 Pervious surfaces shown on the project plans shall be maintained as specified in the stormwater report and logs/reports shall be maintained by the Applicant. Pervious surfaces shown on the project plans shall not be replaced by impervious surfaces. This shall be a continuing condition in perpetuity that survives the expiration of this permit.
- | I.~~10~~12 No snow storage is permitted within the AURA or other Resource Areas. A snow storage plan shall be submitted to the ZBA prior to construction completion. If these areas are insufficient for storage during the snow season, snow shall be removed from the site. Sediments and debris shall be removed from snow storage areas in the early spring. This shall be a continuing condition in perpetuity that survives the expiration of this permit.
- | I.~~11~~13 The Applicant shall protect all adjacent catch basins using silt socks during construction.
- | I.~~12~~14 The Applicant shall conduct catch basin sump cleanings at the end of the project work period.
- | I.~~13~~15 The Applicant shall submit copies of the SWPPP inspection reports to the ZBA within 10 days of the date of each report.
- | I.~~14~~16 The Applicant shall submit for review and approval by the ZBA an invasive management plan for work in the AURA and other Resource Areas outlining all locations for invasive management, the species and quantities of invasive plants to be managed, and the method of management.
- | I.~~15~~17 All mitigation plantings and all plantings within resource areas shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). No cultivars of native plantings shall be allowed. This shall be a continuing condition in perpetuity that survives the expiration of this permit.

- I.4.18 All plantings planted and invasive species removed through this project in Resource Areas or as mitigation shall be monitored for three years. A monitoring report shall be submitted annually in June for the three year monitoring period, reporting on the health of the new plantings and the success of the invasive plant management. The annual report shall identify any plantings that did not survive and summarize the replacement of the plantings. A survival rate of 80% must be achieved at the end of the third monitoring year. If there is less than a 80% survival rate of the plantings after the third year, the Applicant must submit recommendations for replacements to the ZBA for approval.
- I.4.19 The Applicant shall protect all area trees per the Town Wetlands Protection Regulations, Section 24 Vegetation Removal and Replacement, protecting trees through securing (not nailing) 2x4 boards, between 6-8 feet in length, around tree base. The boards shall be installed vertically such that one end is installed directly into the ground. Alternative protection measures must be approved by the ZBA.
- I.20 The Notice of Intent filed under the Wetlands Protection Act (M.G.L. Chapter 131, Section 40) and its Regulations (310 CMR 10.00) shall also include a detailed evaluation addressing all requirements under the Application for Vegetation Removal in accordance with Section 24 – Vegetation, E (1) through E (7) of the Arlington Wetlands Protection Bylaw. This should include the elements described in the guidance provided in Section 24 E as follows:
- a. Narrative describing existing conditions, proposed plantings, list of existing and proposed species, size of existing species and proposed species, quantity plants before and after revegetation and the rational the removal and maintenance plan.
 - b. Affirmation of the Revegetation Activities: All plans must be accompanied by written testimony and scale diagram from a certified arborist or wetland scientist or landscape architect. The document must include at a minimum the necessity of vegetation removal, surface area to be removed, quantity of individual plants by species.
 - c. Planting Plan: Drawn to scale, properly identified resource area and buffer zone and the project site, location of replacement species, comply with (AAN), erosion controls, estimated tree canopies after 15 years of growth, name, sizes and locations of trees to be planted, and total area of SF of the area shaded by the canopies.
 - d. Existing species list
 - e. Replacement species list
 - f. Rational for Removal
 - g. Maintenance Plan

- I.~~1821~~ The Land Under the relocated Brook (Land Under Water Bodies) shall be protected in perpetuity through a recorded deed restriction. This shall be a continuing condition in perpetuity that survives the expiration of this permit.
- I.~~1922~~ The Bank of the relocated Brook shall be protected in perpetuity through a recorded deed restriction. This shall be a continuing condition in perpetuity that survives the expiration of this permit.
- I.23 Work associated with re-routing the Ryder Brook channel shall be completed during Phase 1 of the Construction Phasing Plan to ensure flow through the Site will be uninterrupted during construction. Within Phase 1, the following work associated with re-routing shall be completed:
- a. Grading the proposed Ryder Brook channel.
 - b. Stabilizing the Ryder Brook substrate with the approved stone/substrate material
 - c. Stabilizing the Banks and adjacent areas with seed.
- I.24 River stone and broken stone to be used as the substrate for Ryder Brook shall consist of washed material and shall be free from overburden, spoil, shale and organic material to protect water quality.
- I.25 Erosion controls shall be installed upgradient the Banks of the relocated Ryder Brook once the channel has been graded and stabilized.
- I.~~2026~~ All mitigation as proposed as part of this project shall remain in perpetuity. The approved planting areas, invasive removal areas, the water quality units, and the stormwater system shall remain in perpetuity and if replacement is necessary, shall be subject to the approval of the Commission. This shall be a continuing condition in perpetuity that survives the expiration of this permit.

J. Other General Conditions

- J.1 This Decision will be deemed to be final upon the expiration of the appeal period with no appeal having been filed or upon the final judicial decision following the filing of any appeal, whichever is later, as per 760 CMR 56.05(12)(a). In accordance with 760 CMR 56.05(12)(c), this Comprehensive Permit shall expire three (3) years from the date that the permit becomes final, unless (i) prior to that time construction authorized by the Comprehensive Permit has commenced or (ii) the time period is otherwise tolled in accordance with law. The Applicant may timely apply to the Board for extensions to the Comprehensive Permit as permitted by law.

- J.2 The Applicant shall comply with all local regulations of the Town and its boards, commissions, and departments unless specifically waived herein or as otherwise addressed in these conditions.
- J.3 The Applicant shall copy the Board on all correspondence between the Applicant and any federal, state, or Town official, board, or commission concerning the conditions set forth in this Decision, including but not limited to all testing results, official filings, environmental approvals, and other permits issued for the Project.
- J.4 This Decision prohibits the parking or storage of any unregistered vehicle on the site, and likewise prohibits the service of any vehicles on the site, except during construction. Overnight parking of vehicles on public ways is prohibited in the Town of Arlington.
- J.5 In the event that the Applicant (or its Management Company) fails to maintain the stormwater management system for the Project in accordance with its operation and maintenance plan, within fourteen (14) days of notification by the Town to the Applicant/Management Company, the Town may conduct emergency maintenance and/or repair, as it deems necessary, and the Applicant shall, prior to the issuance of any certificates of occupancy, convey such easement or other rights in a form mutually acceptable to the Town and the Applicant as may be reasonably necessary to complete such repair and/or maintenance. In the event the Town opts to perform such maintenance in accordance with this paragraph, the Applicant shall reimburse the Town within forty-five (45) days for all of its reasonable expenses related to such work.
- J.6 The Project entrance way and interior roads, and drainage systems associated therewith shall remain private, and the Town shall not have any legal responsibility for the operation and maintenance of such. The Town shall also have no obligations relating to the proposed recreational areas on the Property, the construction and operation of which shall be the sole responsibility of the Applicant. The Applicant is required to maintain the sidewalk along Dorothy Road clear of snow per local ordinance.

Decision on Application for Comprehensive Permit
1165R Mass MA Property, LLC
1165R Massachusetts Avenue, Arlington, MA
_____, 2021
Page 32 of 33

J.7 If any default, violation or breach of these conditions by the Applicant is not cured within thirty (30) days after notice thereof (or such longer period of time as is reasonably necessary to cure such a default so long as the Applicant is diligently and continuously prosecuting such a cure), then the Town may take one or more of the following steps: (a) enforcement by the Zoning Enforcement Officer pursuant to G. L. c. 40A, § 7; (b) by mandamus or other suit, action or other proceeding at law or in equity, require the Applicant to perform its obligations under these conditions; or (c) take such other action at law or in equity as may appear necessary or desirable to enforce these conditions. If the Town brings any claim to enforce these conditions, and the Town finally prevails in such claim, the Applicant shall reimburse the Town for its reasonable attorneys' fees and expenses incurred in connection with such claim.

DECISION

In consideration of all of the foregoing, including the plans, documents and testimony given during the public hearing, the Board hereby grants the Applicant a comprehensive permit for the construction of one hundred and thirty (130) rental apartment units pursuant to Chapter 40B, §§ 20-23, for the development described above.

RECORD OF VOTE

The Board of Appeals voted _____, at its public meeting on _____, 2021, to grant a Comprehensive Permit subject to the above-stated Conditions, with this Decision as attested by the signatures below.

Decision on Application for Comprehensive Permit
1165R Mass MA Property, LLC
1165R Massachusetts Avenue, Arlington, MA
_____, 2021
Page 33 of 33

Dated: _____, 2021

Filed with the Town Clerk on _____, 2021.

Town Clerk

Notice: Appeals, if any, by any party other than the Applicant, shall be made pursuant to Massachusetts General Laws, Chapter 40A, s. 17, and shall be filed within twenty (20) days after the filing of this notice in the Office of the Town Clerk, Town Hall, Groveland, Massachusetts. Any appeal by the Applicant shall be filed with the Housing Appeals Committee pursuant to G. L. c. 40B, § 23, within twenty (20) days after the filing of this notice in the Office of the Town Clerk.



Town of Arlington, Massachusetts

Working Session: 1021/1027 Mass Ave

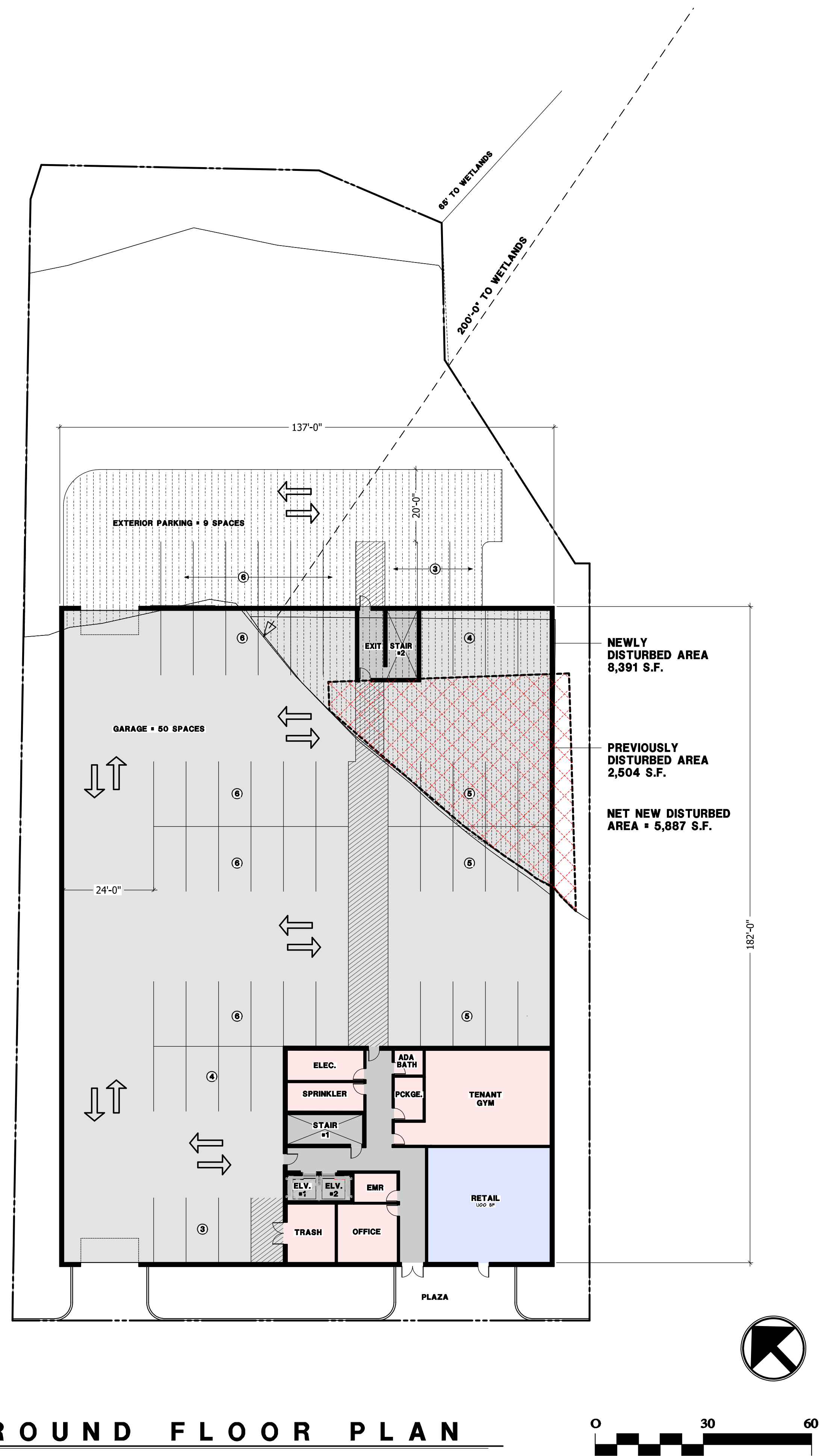
Summary:

Working Session: 1021/1027 Mass Ave

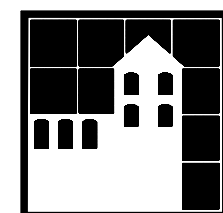
8:15pm This project proposes to redevelop two lots within the Riverfront Area of Mill Brook. This is a prospective 40B Comprehensive Permit Application. The proponent has not yet sought a Project Eligibility Letter from MassHousing. This is a working session. Until a complete application has been properly filed with the Conservation Commission, the Commission will not approve or make any determination concerning potential work. Statements by the Commission or any Commission member in working sessions shall not be construed as prejudging a project or guaranteeing a particular action by the Commission on a subsequent filing.

ATTACHMENTS:

| | Type | File Name | Description |
|---|--------------------|----------------------------------|-------------------------------|
| ▢ | Reference Material | 1021_Mass_Ave_Site_Plan_Rev1.pdf | 1021/1027 Mass Ave Draft Plan |



GROUND FLOOR PLAN



HARRISON MULHERN ARCHITECTS
 611 Main Street
 Winchester, MA 01890
 v. 781-729-3700 f. 781-729-3672
 email: cmulhern@hmarchitects.com

MASS AVE. CONDOMINIUMS
 1021-1025 MASSACHUSETTS AVENUE, ARLINGTON MA

JULY 09 2021



SHEET #
A1.1



Town of Arlington, Massachusetts

Notice of Intent

Summary:

Notice of Intent: Spy Pond Treatment Program

MassDEP File #091-0330

Request to Continue to 08/05/2021

7:45pm This project proposes a water quality management program for Spy Pond.

ATTACHMENTS:

| Type | File Name | Description |
|--------------------|--|---|
| ▢ Notice of Intent | Spy_Pond_Treatment_NOI.pdf | Spy Pond Treatment NOI |
| ▢ Notice of Intent | Spy_Pond_OOC_#091-0258.pdf | Spy Pond OOC #091-0258 (previous treatment OOC) |
| ▢ Notice of Intent | Spy_Pond_Treatment_NHESP_Letter_06232021.pdf | Spy Pond NHESP Response to NOI |

Notice of Intent Application Spy Pond Aquatic Management Program

Arlington, MA

May 2021

Prepared for:

**Town of Arlington
Conservation Commission
730 Massachusetts Avenue
Arlington, MA 02476**

Prepared by:

**SOLitude Lake Management
590 Lake Street
Shrewsbury, MA 01545**



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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

a. Street Address

b. City/Town

c. Zip Code

Latitude and Longitude:

d. Latitude

e. Longitude

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

a. Total Fee Paid

b. State Fee Paid

c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information (continued)

6. General Project Description:

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☐ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

a. County

b. Certificate # (if registered land)

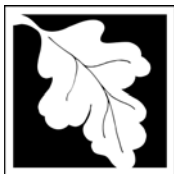
c. Book

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|-----------------------------|-------------------------------|
| a. <input type="checkbox"/> Bank | 1. linear feet | 2. linear feet |
| b. <input type="checkbox"/> Bordering Vegetated Wetland | 1. square feet | 2. square feet |
| c. <input type="checkbox"/> Land Under Waterbodies and Waterways | 1. square feet | 2. square feet |
| | 3. cubic yards dredged | |

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|-------------------------------------|-------------------------------|
| d. <input type="checkbox"/> Bordering Land Subject to Flooding | 1. square feet | 2. square feet |
| | 3. cubic feet of flood storage lost | 4. cubic feet replaced |
| e. <input type="checkbox"/> Isolated Land Subject to Flooding | 1. square feet | |
| | 2. cubic feet of flood storage lost | 3. cubic feet replaced |
| f. <input type="checkbox"/> Riverfront Area | 1. Name of Waterway (if available) | |

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

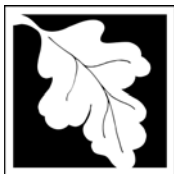
4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|---|---|--|
| a. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | |
| b. <input type="checkbox"/> Land Under the Ocean | 1. square feet 2. cubic yards dredged | |
| c. <input type="checkbox"/> Barrier Beach | Indicate size under Coastal Beaches and/or Coastal Dunes below | |
| d. <input type="checkbox"/> Coastal Beaches | 1. square feet | 2. cubic yards beach nourishment |
| e. <input type="checkbox"/> Coastal Dunes | 1. square feet | 2. cubic yards dune nourishment |
| | <u>Size of Proposed Alteration</u> | <u>Proposed Replacement (if any)</u> |
| f. <input type="checkbox"/> Coastal Banks | 1. linear feet | |
| g. <input type="checkbox"/> Rocky Intertidal Shores | 1. square feet | |
| h. <input type="checkbox"/> Salt Marshes | 1. square feet | 2. sq ft restoration, rehab., creation |
| i. <input type="checkbox"/> Land Under Salt Ponds | 1. square feet 2. cubic yards dredged | |
| j. <input type="checkbox"/> Land Containing Shellfish | 1. square feet | |
| k. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above 1. cubic yards dredged | |
| l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | 1. square feet | |

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_viewer.htm.

a. ☐ Yes ☐ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); OR complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- 1c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

_____ percentage/acreage

(b) outside Resource Area

_____ percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

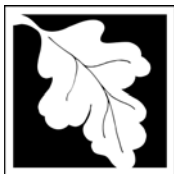
C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☐ Not applicable – project is in inland resource area only
- b. ☐ Yes ☐ No If yes, include proof of mailing or hand delivery of NOI to either:
- | | |
|--|---|
| South Shore - Cohasset to Rhode Island, and the Cape & Islands: | North Shore - Hull to New Hampshire: |
| Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 1213 Purchase Street – 3rd Floor New Bedford, MA 02740-6694 | Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 |

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. ☐ Yes ☐ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. ☐ Yes ☐ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. ☐ Yes ☐ No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☐ A portion of the site constitutes redevelopment
3. ☐ Proprietary BMPs are included in the Stormwater Management System.

b. ☐ No. Check why the project is exempt:

1. ☐ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☐ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☐ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

D. Additional Information (cont'd)

3. ☐ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☐ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.


Emily Sullivan (May 8, 2021 08:40 EDT)

1. Signature of Applicant

05/06/21

2. Date


Emily Sullivan (May 8, 2021 08:41 EDT)

3. Signature of Property Owner (if different)

05/06/21

4. Date



5. Signature of Representative (if any)

05/18/21

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

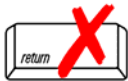
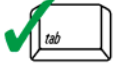
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

a. Street Address

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. ***Please see Instructions before filling out worksheet.***

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

| Step 1/Type of Activity | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee |
|-------------------------|-----------------------------|--------------------------------|------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee: _____
a. Total Fee from Step 5

State share of filing Fee: _____
b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: _____
c. 1/2 Total Fee **plus** \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Checklist

This Ecological Restoration Limited Project Eligibility Checklist guides the applicant in determining if their project is eligible to file as an Inland or Coastal Ecological Restoration Limited Project (310 CMR 10.53(4) or 310 CMR 10.24(8) respectively). These criteria must be met when submitting the Ecological Restoration Limited Project Notice of Intent to ensure that the restoration and improvement of the natural capacity of a Resource Area(s) to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Regulatory Features of All Coastal and Inland Ecological Restoration Limited Projects

- (a) May result in the temporary or permanent loss of or conversion of Resource Area: An Ecological Restoration Limited Project that meets the requirements of 310 CMR 10.24(8) may result in the temporary or permanent loss of Resource Areas and/or the conversion of one Resource Area to another when such loss is necessary to the achievement of the project's ecological restoration goals.
- (b) Exemption from wildlife habitat evaluation: A NOI for an Ecological Restoration Limited Project that meets the minimum requirements for Ecological Restoration Projects and for a MassDEP Combined Application outlined in 310 CMR 10.12(1) and (2) is exempt from providing a wildlife habitat (310 CMR 10.60), but still must meet the general performance standards for Bank [310 CMR 10.54(4)(a)5]; Land Under Water Bodies and Waterways [310 CMR 10.56(4)(a)4], and Wildlife Habitat Evaluation [310 CMR 10.60].
- (c) The following are considerations for applicants filing an Ecological Restoration Limited Project NOI and for the issuing authority approving a project as an Ecological Restoration Limited Project:
- ☐ The condition of existing and historic Resource Areas proposed for restoration.
 - ☐ Evidence of the extent and severity of the impairment(s) that reduce the capacity of the Resource Areas to protect and sustain the interests identified in M.G.L. c. 131, § 40.
 - ☐ The magnitude and significance of the benefits of the Ecological Restoration Project in improving the capacity of the affected Resource Areas to protect and sustain the other interests identified in M.G.L. c. 131, § 40.
 - ☐ The magnitude and significance of the impacts of the Ecological Restoration Project on existing Resource Areas that may be modified, converted and/or lost and the interests for which said Resource Areas are presumed significant in 310 CMR 10.00, and the extent to which the project will:
 - a. avoid adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that can be avoided without impeding the achievement of the project's ecological restoration goals.
 - b. minimize adverse impacts to Resource Areas and the interests identified in M.G.L. c. 131, § 40, that are necessary to the achievement of the project's ecological restoration goals.
 - c. utilize best management practices such as erosion and siltation controls and proper construction sequencing to avoid and minimize adverse construction impacts to resource areas and the interests identified in M.G.L. c. 131, § 40.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as a Coastal Ecological Restoration Limited Project. (310 CMR 10.24(8)) Sign the Eligibility Certification at the end of Appendix A, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects

Notwithstanding the requirements of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and the Wildlife Habitat evaluations in 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.24(8)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in the WPA M.G.L. provided that the project meets all the requirements in 310 CMR 10.24(8).

- ☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.24(8)(e)].
- ☐ Tidal Restoration.
- ☐ Shellfish Habitat Restoration.
- ☐ Other Ecological Restoration Limited Project Type.
- ☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply.
 - ☐ Protection of ground water supply.
 - ☐ Flood control.
 - ☐ Storm damage prevention.
 - ☐ Prevention of pollution.
 - ☐ Protection of land containing shellfish.
 - ☐ Protection of fisheries.
 - ☐ Protection of wildlife habitat.
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will not have any adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

General Eligibility Criteria for All Coastal Ecological Restoration Limited Projects (cont.)

- ☐ If the project is located in a Coastal Dune or Barrier Beach, the project avoids and minimizes armoring of the Coastal Dune or Barrier Beach to the maximum extent practicable.
- ☐ The project complies with all applicable provisions of 310 CMR 10.24(1) through (6) and 310 CMR 10.24(9) and (10).

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☐ This Ecological Restoration Limited Project application meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.24(8)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below.

☐ Tidal Restoration Projects

- ☐ A project to restore tidal flow that will not significantly increase flooding or storm damage impacts to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.

☐ Shellfish Habitat Restoration Projects

- ☐ The project has received a Special Projects Permit from the Division of Marine Fisheries or, if a municipality, has received a shellfish propagation permit.
- ☐ The project is made of cultch (e.g., shellfish shells from oyster, surf or ocean clam) or is a structure manufactured specifically for shellfish enhancement (e.g., reef blocks, reef balls, racks, floats, rafts, suspended gear).

☐ Other Ecological Restoration Projects that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).

- ☐ Restoration, enhancement, or management of Rare Species habitat.
- ☐ Restoration of hydrologic and habitat connectivity.
- ☐ Removal of aquatic nuisance vegetation to impede eutrophication.
- ☐ Thinning or planting of vegetation to improve habitat value.
- ☐ Fill removal and re-grading.
- ☐ Riparian corridor re-naturalization.
- ☐ River floodplain re-connection.



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ In-stream habitat enhancement.
- ☐ Remediation of historic tidal wetland ditching.
- ☐ Eelgrass restoration.
- ☐ Invasive species management.
- ☐ Installation of fish passage structures.
- ☐ Other. Describe: _____
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure (310 CMR 10.24(9)).
 - ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project proposes to replace an existing stream crossing (310 CMR 10.24(10)). The crossing complies with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI. The crossing type:
 - ☐ Replaces an existing non-tidal crossing that is part of an Anadromous/Catadromous Fish Run (310 CMR 10.35)
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.
- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been considered site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;



WPA Form 3 – Notice of Intent

Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Coastal Ecological Restoration Limited Projects (310 CMR 10.24(8)) (Cont.)

Additional Eligibility Criteria for Specific Coastal Ecological Restoration Limited Project Types

- ☐ Engineering design constraints specific to the crossing;
- ☐ Hydrologic constraints specific to the crossing;
- ☐ Impacts to wetlands that would occur by improving the crossing;
- ☐ Potential to affect property and infrastructure; and
- ☐ Cost of replacement.

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4))

Complete this Eligibility Criteria Checklist **before** filling out a Notice of Intent Application to determine if your project qualifies as an Inland Ecological Restoration Limited Project. (310 CMR 10.53(4)) Sign the Eligibility Certification at the end of Appendix B, and attach the checklist with supporting documentation and the Eligibility Certification to your Notice of Intent Application.

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

Notwithstanding the requirements of any other provision of 310 CMR 10.25 through 10.35, 310 CMR 10.54 through 10.58, and 310 CMR 10.60, the Issuing Authority may issue an Order of Conditions permitting an Ecological Restoration Project listed in 310 CMR 10.53(4)(e) as an Ecological Restoration Limited Project and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40, provided that:

- ☐ The project is an Ecological Restoration Project as defined in 310 CMR 10.04 and is a project type listed below [310 CMR 10.53(4)(e)].
 - ☐ Dam Removal
 - ☐ Freshwater Stream Crossing Repair and Replacement
 - ☐ Stream Daylighting
 - ☐ Tidal Restoration
 - ☐ Rare Species Habitat Restoration
 - ☐ Restoring Fish Passageways



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Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

General Eligibility Criteria for All Inland Ecological Restoration Limited Projects

- ☐ The project will further at least one of the WPA (M.G.L. c. 131, § 40) interests identified below.
 - ☐ Protection of public or private water supply
 - ☐ Protection of ground water supply
 - ☐ Flood control
 - ☐ Storm damage prevention
 - ☐ Prevention of pollution
 - ☐ Protection of land containing shellfish
 - ☐ Protection of fisheries
 - ☐ Protection of wildlife habitat
- ☐ If the project will impact an area located within estimated habitat which is indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands, a NHESP preliminary written determination is attached to the NOI submittal that the project will have no adverse long-term and short-term effects on specified habitat sites of Rare Species or the project will be carried out in accordance with an approved NHESP habitat management plan.
- ☐ The project will be carried out in accordance with any time of year restrictions or other conditions recommended by the Division of Marine Fisheries for coastal waters and the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3).
- ☐ If the project involves the dredging of 100 cubic yards of sediment or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification has been applied for or obtained.
- ☐ The project complies with all applicable provisions of 310 CMR 10.53(1), (2), (7), and (8).



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

Additional Eligibility Criteria for Specific Inland Ecological Restoration Limited Project Types

These additional criteria must be met to qualify as an Ecological Restoration Limited Project to ensure that the restoration and improvement of the natural capacity of a Resource Area to protect and sustain the interests identified in the WPA is **necessary** to achieve the project's ecological restoration goals.

- ☐ This project application meets the eligibility criteria for Ecological Restoration Limited Project in accordance with [310 CMR 10.53(4)(a) through (d) and as proposed, furthers at least one of the WPA interests is for the project type identified below:

☐ **Dam Removal**

- ☐ Project is consistent with MassDEP's 2007 Dam Removal Guidance.

☐ **Freshwater Stream Crossing Repair and Replacement.** The project as proposed and the NOI describes how:

- ☐ Meeting the eligibility criteria set forth in 310 CMR 10.13 would result in significant stream instability or flooding hazard that cannot otherwise be mitigated, and site constraints make it impossible to meet said criteria.
- ☐ The project design ensures that the stability of the bank is NOT impaired.
- ☐ To the maximum extent practicable, the project provides for the restoration of the stream upstream and downstream of the structure as needed to restore stream continuity and eliminate barriers to aquatic organism movement.
- ☐ The project complies with the requirements of 310 CMR 10.53(7) and (8).

☐ **Stream Daylighting Projects**

- ☐ The project meets the eligibility criteria for Ecological Restoration Limited Project [310 CMR 10.53(4)(a) through (d)] and as proposed the NOI describes how the proposed project meets to the maximum extent practicable, consistent with the project's ecological restoration goals, all the performance standards for Bank and Land Under Water Bodies and Waterways.
- ☐ The project meets the requirements of 310 CMR 10.12(1) and (2) and a wildlife habitat evaluation is not included in the NOI.

☐ **Tidal Restoration Project**

- ☐ Restores tidal flow.
- ☐ the project, including any proposed flood mitigation measures, will not significantly increase flooding or storm damage to the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure.



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Appendix A: Ecological Restoration Limited Project Checklists

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- ☐ **Other Ecological Restoration Projects** that meet the criteria set forth in 310 CMR 10.24(8)(a) through (d).
 - ☐ Restoration, enhancement, or management of Rare Species habitat.
 - ☐ Restoration of hydrologic and habitat connectivity.
 - ☐ Removal of aquatic nuisance vegetation to impede eutrophication.
 - ☐ Thinning or planting of vegetation to improve habitat value.
 - ☐ Riparian corridor re-naturalization.
 - ☐ River floodplain re-connection.
 - ☐ In-stream habitat enhancement.
 - ☐ Fill removal and re-grading.
 - ☐ Flow restoration.
 - ☐ Installation of fish passage structures.
 - ☐ Invasive species management.
 - ☐ Other. Describe: _____
- ☐ This project involves the construction, repair, replacement or expansion of public or private infrastructure. (310 CMR 10.53(7))
 - ☐ The NOI attachment labeled _____ is an operation and maintenance plan to ensure that the infrastructure will continue to function as designed.
 - ☐ The operation and maintenance plan will be implemented as a continuing condition in the Order of Conditions and the Certificate of Compliance.
- ☐ This project replaces an existing stream crossing (310 CMR 10.53(8)). The crossing type:
 - ☐ Replaces an existing non-tidal crossing designed to comply with the Massachusetts Stream Crossing Standards to the maximum extent practicable with details provided in the NOI.
 - ☐ Replaces an existing tidal crossing that restricts tidal flow. The tidal restriction will be eliminated to the maximum extent practicable.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Eligibility Criteria - Inland Ecological Restoration Limited Project (310 CMR 10.53(4)) (cont.)

- ☐ At a minimum, in evaluating the potential to comply with the standards to the maximum extent practicable the following criteria have been consider site constraints in meeting the standard, undesirable effects or risk in meeting the standard, and the environmental benefit of meeting the standard compared to the cost, by evaluating the following:
 - ☐ The potential for downstream flooding;
 - ☐ Upstream and downstream habitat (in-stream habitat, wetlands);
 - ☐ Potential for erosion and head-cutting;
 - ☐ Stream stability;
 - ☐ Habitat fragmentation caused by the crossing;
 - ☐ The amount of stream mileage made accessible by the improvements;
 - ☐ Storm flow conveyance;
 - ☐ Engineering design constraints specific to the crossing;
 - ☐ Hydrologic constraints specific to the crossing;
 - ☐ Impacts to wetlands that would occur by improving the crossing;
 - ☐ Potential to affect property and infrastructure; and
 - ☐ Cost of replacement.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11)

Complete the Required Actions before submitting a Notice of Intent Application for an Ecological Restoration Project and submit a completed copy of this Checklist with the Notice of Intent.

- ☐ **Massachusetts Environmental Policy Act (MEPA) / Environmental Monitor**
<http://www.mass.gov/eea/agencies/mepa/submitting-notice-to-the-environmental-monitor.html>

For Ecological Restoration Limited Projects, there are no changes to MEPA requirements.

- ☐ Submit written notification at least 14 days prior to the filing of a Notice of Intent (NOI) to the Environmental Monitor for publication. A copy of the written notification is attached and provides at minimum:
- ☐ A brief description of the proposed project.
 - ☐ The anticipated NOI submission date to the conservation commission.
 - ☐ The name and address of the conservation commission that will review the NOI.
 - ☐ Specific details as to where copies of the NOI may be examined or acquired and where to obtain the date, time, and location of the public hearing.

- ☐ **Massachusetts Endangered Species Act (MESA) /Wetlands Protection Act Review**

- ☐ Preliminary Massachusetts Endangered Species Act Review from the Natural Heritage and Endangered Species Program (NHESP) has been met and the written determination is attached.

- ☐ Supplemental Information for Endangered Species Review has been submitted.

1. ☐ Percentage/acreage of property to be altered:

- a. Within Wetland Resource Area

Percentage/acreage

- b. Outside Wetland Resource Area

Percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work.

4. ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

5. ☐ Photographs representative of the site

6. ☐ MESA filing fee (fee information available at

http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm)



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Make check payable to “Commonwealth of Massachusetts - NHESP” and mail to NHESP:

Natural Heritage & Endangered Species Program

MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

7. Projects altering 10 or more acres of land, also submit:

- a. ☐ Vegetation cover type map of site
- b. ☐ Project plans showing Priority & Estimated Habitat boundaries

OR Check One of the Following:

1. ☐ Project is exempt from MESA review.

Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59 – see C4 below)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

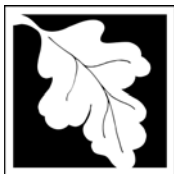
b. Date submitted to NHESP

3. ☐ Separate MESA review completed. Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

☐ Estimated Habitat Map of State-Listed Rare Wetlands Wildlife

If a portion of the proposed project is located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP), complete the portion below. To view habitat maps, see the **Massachusetts Natural Heritage Atlas** or view the maps electronically at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review>

- ☐ A preliminary written determination from Natural Heritage and Endangered Species Program (NHESP) must be obtained indicating that:
- ☐ Project will NOT impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP.
- ☐ Project will impact an area located within estimated habitat indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetlands Wildlife published by NHESP. A copy of NHESP’s written preliminary determination in accordance with 310 CMR 10.11(2) is attached. This specifies:
- ☐ Date of the map: _____



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

- ☐ If the Rare Species identified is/are likely to continue to be located on or near the project, and if so, whether the Resource Area to be altered is in fact part of the habitat of the Rare Species.
- ☐ That if the project alters Resource Area(s) within the habitat of a Rare Species:
 - ☐ The Rare Species is identified;
 - ☐ NHESP's recommended changes or conditions necessary to ensure that the project will have no short or long term adverse effect on the habitat of the local population of the Rare Species is provided; or
 - ☐ An approved NHESP habitat management plan is attached with this Notice of Intent.

Send the request for a preliminary determination to:
Natural Heritage & Endangered Species Program
MA Division of Fisheries & Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

☐ Division of Marine Fisheries

- ☐ If the project will occur within a coastal waterbody with a restricted Time of Year, [see Appendix B of the Division of Marine Fisheries (DMF) Technical Report TR 47 "Marine Fisheries Time of Year Restrictions (TOYs) for Coastal Alteration Projects" dated April 2011
<http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/NEGP/MADMFTTR-47.pdf>].
- ☐ Obtain a DMF written determination stating:
 - ☐ The proposed work does NOT require a TOY restriction.
 - ☐ The proposed work requires a TOY restriction. Specific recommended TOY restriction and recommended conditions on the proposed work is attached.
- ☐ If the project may affect a diadromous fish run [re: Division of Marine Fisheries (DMF) Technical Reports TR 15 through 18, dated 2004:
<http://www.mass.gov/eea/agencies/dfg/dmf/publications/technical.html>]
- ☐ Obtain a DMF written determination stating:
 - ☐ The design specifications and operational plan for the project are compatible with the passage requirements of the fish run.
 - ☐ The design specifications and operational plan for the project are not compatible with the passage requirements of the fish run.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Send the request for a written determination to:

Division of Marine Fisheries - Southeast
Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

North Shore - Hull to New Hampshire:
Division of Marine Fisheries - North Shore
Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

☐ **Division of Fisheries and Wildlife** – <http://www.mass.gov/eea/agencies/dfg/dfw/>

- ☐ Projects that involve silt-generating, in-water work that will impact a non-tidal perennial river or stream and the in-water work will not occur between May 1 and August 30.
 - ☐ Obtain a written determination from the Division of Fisheries and Wildlife (DFW) as to whether the proposed work requires a TOY restriction.
 - ☐ The proposed work does NOT require a TOY restriction.
 - ☐ The proposed work requires a TOY restriction. The DFW determination with TOY restriction and other conditions is attached.

☐ **MassDEP Water Quality Certification**

- ☐ Project involves dredging of 100 cubic yards or more in a Resource Area or dredging of any amount in an Outstanding Resource Water (ORW). A copy and proof of the MassDEP Water Quality Certification pursuant to 314 CMR 9.00 is attached to the NOI.
- ☐ This project is a Combined Permit Application for 401 Dredging and Restoration (BRP WW 26).

☐ **MassDEP Wetlands Restriction Order**

Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

☐ Yes ☐ No

☐ **Department of Conservation and Recreation**

Office of Dam Safety

- ☐ For Dam Removal Projects, obtain a written determination from the Department of Conservation and Recreation Office of Dam Safety that the dam is not subject to the jurisdiction of the Office under 302 CMR 10.00, a written determination that the dam removal does not require a permit under 302 CMR 10.00 or a permit authorizing the dam removal in accordance with 302 CMR 10.00 has been issued.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Required Actions (310 CMR 10.11) (cont.)

Areas of Critical Environmental Concern (ACECs)

Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

☐ Yes

☐ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations).

Minimum Required Documents (310 CMR 10.12)

Complete the Required Documents Checklist below and provide supporting materials before submitting a Notice of Intent Application for an Ecological Restoration Project.

- ☐ This Notice of Intent meets all applicable requirements outlined in for Ecological Restoration Projects in 310 CMR 10.12. Use the checklist below to insure that all documentation is included with the NOI.

At a minimum, a Notice of Intent for an Ecological Restoration Project shall include the following:

- ☐ Description of the project's ecological restoration goals;
- ☐ The location of the Ecological Restoration Project;
- ☐ Description of the construction sequence for completing the project;
- ☐ A map of the Areas Subject to Protection Under M.G.L. c. 131, § 40, that will be temporarily or permanently altered by the project or include habitat for Rare Species, Habitat of Potential Regional and Statewide Importance, eel grass beds, or Shellfish Suitability Areas.
- ☐ The method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.) is attached with documentation methodology.
- ☐ List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared by

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

- ☐ If there is more than one property owner, attach a list of these property owners not listed on this form.
- ☐ Attach NOI Wetland Fee Transmittal Form.



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Appendix A: Ecological Restoration Limited Project Checklists

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Minimum Required Documents (310 CMR 10.12)

- ☐ An evaluation of any flood impacts that may affect the built environment, including without limitation, buildings, wells, septic systems, roads or other man-made structures or infrastructure as well as any proposed flood impact mitigation measures;
- ☐ A plan for invasive species prevention and control;
- ☐ The Natural Heritage and Endangered Species Program written determination in accordance with 310 CMR 10.11(2), if needed;
- ☐ Any Time of Year restrictions and/or other conditions recommended by the Division of Marine Fisheries or the Division of Fisheries and Wildlife in accordance with 310 CMR 10.11(3), (4), (5), if needed;
- ☐ Proof that notice was published in the Environmental Monitor as required by 310 CMR 10.11(1);
- ☐ A certification by the applicant under the penalties of perjury that the project meets the eligibility criteria set forth in 310 CMR 10.13;
- ☐ If the Ecological Restoration Project involves the construction, repair, replacement or expansion of infrastructure, an operation and maintenance plan to ensure that the infrastructure will continue to function as designed;
- ☐ If the project involves dredging of 100 cubic yards or more or dredging of any amount in an Outstanding Resource Water, a Water Quality Certification issued by the Department pursuant to 314 CMR 9.00;
- ☐ If the Ecological Restoration Project involves work on a stream crossing, information sufficient to make the showing required by 310 CMR 10.24(10) for work in a coastal resource area and 310 CMR 10.53(8) for work in an inland resource area; and
- ☐ If the Ecological Restoration Project involves work on a stream crossing, baseline photo-points that capture longitudinal views of the crossing inlet, the crossing outlet and the upstream and downstream channel beds during low flow conditions. The latitude and longitude coordinates of the photo-points shall be included in the baseline data.
- ☐ This project is subject to provisions of the MassDEP Stormwater Management Standards. A copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) is attached.
- ☐ Provide information as to whether the project has the potential to impact private water supply wells including agricultural or aquacultural wells or surface water withdrawal points.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent
Appendix A: Ecological Restoration Limited
Project Checklists

MassDEP File Number

Document Transaction Number

Arlington

City/Town

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Certification that the Ecological Restoration Project Meets the
Eligibility Criteria

I hereby certify under penalties of perjury that the Ecological Restoration Project Notice of Intent application does not meet the Eligibility criteria for an Ecological Restoration Order of Conditions set forth in 310 CMR 10.13, but does meet the Eligibility Criteria for a Ecological Restoration Limited Project set forth in 10.24(8) or 10.53(4) whichever is applicable. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.


Emily Sullivan (May 6, 2021 08:40 EDT)

Signature of Applicant or Authorized Agent


Emily Sullivan (May 6, 2021 08:40 EDT)

Printed Name of Applicant or Authorized Agent

5/6/2021

Date

The certification must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.

ATTACHMENT A

Abutter Notification



Office of the Board of Assessors
Robbins Memorial Town Hall
Arlington, MA 02476
(781) 316-3050
Assessors@town.arlington.ma.us

Abutters List

Date: May 11, 2021

Subject Property: SPY POND, Arlington, MA

Search Distance: 100 Feet - CONSERVATION

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to SPY POND within 100 feet.

Kenneth L. Feeley
Robert E. Greeley
[Signature]

Board of Assessors

Abutters List
Date: May 11, 2021
Subject Property: Spy Pond
Search Distance: 100 Feet – Conservation

Prop ID: 10-5-6
Prop Location: 49 POND LN Arlington, MA
Owner: PHELPS CHRISTOPHER B & HEATHER
Co-Owner:
Mailing Address:
49 POND LANE
ARLINGTON, MA 02474

Prop ID: 10-5-7.A
Prop Location: 51-53 POND LN Arlington, MA
Owner: A.B.G.C. FRIENDS INC.
Co-Owner:
Mailing Address:
C/O DEREK CURRAN
60 POND LN
ARLINGTON, MA 02476

Prop ID: 10-5-9
Prop Location: 56 POND LN Arlington, MA
Owner: ARLINGTON ELKS BLDG CORP
Co-Owner:
Mailing Address:
56 POND LANE
ARLINGTON, MA 02474

Prop ID: 10.A-5-1
Prop Location: 46-48 POND LN UNIT 1 Arlington, MA
Owner: MORRISON LAI-KUEN & DONALD M
Co-Owner:
Mailing Address:
46 POND LN UNIT 1
ARLINGTON, MA 02474

Prop ID: 10.A-5-2
Prop Location: 46-48 POND LN UNIT 2 Arlington, MA
Owner: RUSSELL KAREN J
Co-Owner:
Mailing Address:
46 POND LANE UNIT 2
ARLINGTON, MA 02474

Prop ID: 12-1-1
Prop Location: 40-42 ALFRED RD Arlington, MA
Owner: PERO JAMES L--ETAL
Co-Owner: PERO BEVERLY J
Mailing Address:
43 CANDLEBERRY LANE
HARVARD, MA 01451

Prop ID: 121-1-8
Prop Location: 24-26 LAKEVIEW Arlington, MA
Owner: BOWES ROBERT E
Co-Owner:
Mailing Address:
26 LAKEVIEW
ARLINGTON, MA 02476

Prop ID: 121-2-10
Prop Location: 36 PEABODY RD Arlington, MA
Owner: JESSEN IAN
Co-Owner: HATCH ELIZA
Mailing Address:
36 PEABODY RD
ARLINGTON, MA 02476

Prop ID: 12-1-22
Prop Location: 41-43 PONDVIEW RD Arlington, MA
Owner: MURPHY KATHRYN & GLENN
Co-Owner: MURPHY EMMA & DITTO DREW
Mailing Address:
41-43 PONDVIEW RD
ARLINGTON, MA 02474

Prop ID: 121-2-9
Prop Location: 45 HOPKINS RD Arlington, MA
Owner: CAP GMBH
Co-Owner:
Mailing Address:
PO BOX 292
ARLINGTON, MA 02476

Prop ID: 121-3-11
Prop Location: 0-LOT HOPKINS RD Arlington, MA
Owner: TIFFANY ANDREW/CAROLYN
Co-Owner:
Mailing Address:
44 HOPKINS RD
ARLINGTON, MA 02476

Prop ID: 121-4-11
Prop Location: 0-LOT ADDISON ST Arlington, MA
Owner: TOWN OF ARLINGTON CHAP 111
Co-Owner: TOWN MANAGER
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-4-11.A
Prop Location: 0-LOT ADDISON ST Arlington, MA
Owner: TOWN OF ARLINGTON
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-4-12
Prop Location: 36 ADDISON ST Arlington, MA
Owner: CHASAN GWEN B
Co-Owner:
Mailing Address:
36 ADDISON STREET
ARLINGTON, MA 02476

Prop ID: 121-4-13
Prop Location: 34 ADDISON ST Arlington, MA
Owner: SMITH ANA R/TRUSTEE
Co-Owner: ANA SMITH TRUST
Mailing Address:
34 ADDISON ST
ARLINGTON, MA 02476

Prop ID: 121-4-9.A
Prop Location: 39 WELLINGTON ST UNIT A Arlington, MA
Owner: HOWARD PETER M & KEIKO
Co-Owner:
Mailing Address:
39 WELLINGTON ST #39
ARLINGTON, MA 02476

Prop ID: 121-4-9.B
Prop Location: 39 WELLINGTON ST UNIT B Arlington, MA
Owner: TABERNER AIMEE LAURA
Co-Owner:
Mailing Address:
41 WELLINGTON ST
ARLINGTON, MA 02476

Prop ID: 121-6-2
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 121-7-1
Prop Location: 60 POND LN Arlington, MA
Owner: ARLINGTON BOYS CLUB INC
Co-Owner:
Mailing Address:
60 POND LANE
ARLINGTON, MA 02474

Prop ID: 121.A-3-10
Prop Location: 33 ADDISON ST UNIT 33 Arlington, MA
Owner: MACDONALD KYLE
Co-Owner:
Mailing Address:
33 ADDISON ST
ARLINGTON, MA 02476

Prop ID: 121.A-3-11
Prop Location: 33 ADDISON ST UNIT 35 Arlington, MA
Owner: LOUISE DOROTHY
Co-Owner:
Mailing Address:
35 ADDISON ST UNIT 2
ARLINGTON, MA 02476

Prop ID: 122-4-1
Prop Location: 10 CHAPMAN ST Arlington, MA
Owner: LOH SALLY WO-KWUN
Co-Owner:
Mailing Address:
10 CHAPMAN STREET
ARLINGTON, MA 02476

Prop ID: 122-4-10
Prop Location: 0-LOT SPRING VALLEY Arlington, MA
Owner: JARDINE ALICE A /TRUSTEE
Co-Owner: ALICE A JARDINE TRUST
Mailing Address:
21 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-4-13.A
Prop Location: 25 SPRING VALLEY Arlington, MA
Owner: CARTER E EUGENE--ETAL
Co-Owner: RITA RODRIGUEZ
Mailing Address:
25 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-4-16
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: CARTER E EUGENE--ETAL
Co-Owner: RITA RODRIGUEZ
Mailing Address:
25 SPRING VALLEY
ARLINGTON, MA 02476

Prop ID: 122-5-16.B
Prop Location: 19 LAKEVIEW Arlington, MA
Owner: BARBERA MARIANNE
Co-Owner:
Mailing Address:
19 LAKEVIEW
ARLINGTON, MA 02476

Prop ID: 122-5-17
Prop Location: 17-1/2 LAKEVIEW Arlington, MA
Owner: BOUDREAU MARK E &
Co-Owner: ZEILER KATHRYN M
Mailing Address:
17 LAKEVIEW ST # 1/2
ARLINGTON, MA 02476-8117

Prop ID: 122-6-10
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: MURDOCK GREGORY P
Co-Owner: EVANS MARA S
Mailing Address:
34 GOULD RD
ARLINGTON, MA 02476

Prop ID: 122-6-11
Prop Location: 34 GOULD RD Arlington, MA
Owner: MURDOCK GREGORY P
Co-Owner: EVANS MARA S
Mailing Address:
34 GOULD RD
ARLINGTON, MA 02476

Prop ID: 122-6-12
Prop Location: 30 GOULD RD Arlington, MA
Owner: GILLETTE JONATHON H/ TRUSTEE
Co-Owner: JONATHON H GILLETTE LIVING TR
Mailing Address:
30 GOULD ROAD
ARLINGTON, MA 02476

Prop ID: 122-6-6
Prop Location: 0-LOT CHAPMAN ST Arlington, MA
Owner: BERMAN JUDITH L/TRUSTEE
Co-Owner: JUDITH L BERMAN REVOCABLE TR
Mailing Address:
4 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-6-7
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: STARK MARGO D/ETAL
Co-Owner: FREUNDLICH DOUGLAS
Mailing Address:
8 DEVEREAUX STREET
ARLINGTON, MA 02476

Prop ID: 122-6-8.A
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: RICCI GERALDINE R
Co-Owner: RICCI STEPHEN J
Mailing Address:
10 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-6-9
Prop Location: 14 DEVEREAUX ST Arlington, MA
Owner: MACPHERSON WILLIAM
Co-Owner: LYDECKER KATHERINE
Mailing Address:
14 DEVEREAUX ST
ARLINGTON, MA 02476

Prop ID: 122-7-1
Prop Location: 0-LOT ELIZABETH ISLAND Arlington, MA
Owner: ARLINGTON LAND TRUST, INC
Co-Owner:
Mailing Address:
PO BOX 492
ARLINGTON, MA 02476

Prop ID: 123-2-1
Prop Location: 240 PLEASANT ST Arlington, MA
Owner: BALAZS MARIANNE E
Co-Owner:
Mailing Address:
19 ANNETT AVE
EDGEWATER, NJ 07020

Prop ID: 123-2-14.A
Prop Location: 21 GOULD RD Arlington, MA
Owner: SNODGRASS JENNIFER
Co-Owner: BELKNAP PETER C
Mailing Address:
21 GOULD ROAD
ARLINGTON, MA 02476

Prop ID: 123-2-15.A
Prop Location: 0-LOT GOULD RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-16.A
Prop Location: 25 GOULD RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-17
Prop Location: 0-LOT SHORE RD Arlington, MA
Owner: SULLIVAN KARA
Co-Owner: LINDGREN JOHN LEE
Mailing Address:
25 GOULD RD
ARLINGTON, MA 02476

Prop ID: 123-2-2.A
Prop Location: 232 PLEASANT ST UNIT A Arlington, MA
Owner: FRIIS JACOB & HYUN-A PARK
Co-Owner:
Mailing Address:
232 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 123-2-2.B
Prop Location: 232 PLEASANT ST UNIT B Arlington, MA
Owner: DUFFY NIAL & SABINE
Co-Owner:
Mailing Address:
6704 WEMBERLY WAY
MCLEAN, VA 22101

Prop ID: 123-2-3
Prop Location: 224-226 PLEASANT ST Arlington, MA
Owner: PERELI JULIUS R & MARTHA G
Co-Owner:
Mailing Address:
224-226 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-4
Prop Location: 220 PLEASANT ST Arlington, MA
Owner: HIBBETT AKIKO Y/ TRUSTEE
Co-Owner: AKIKO HIBBETT FAMILY TRUST
Mailing Address:
C/O DAVID HIBBETT
48 OAK DR
UPTON, MA 01568

Prop ID: 123-2-6
Prop Location: 218 PLEASANT ST Arlington, MA
Owner: LIU YU-HSIU
Co-Owner: ISIK IBRAHIM
Mailing Address:
218 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-6.E
Prop Location: 212 PLEASANT ST Arlington, MA
Owner: PAHIGIAN CHRISTINE
Co-Owner:
Mailing Address:
200 S BROADWAY
HASTINGS-ON-HUDSON, NY 10706

Prop ID: 123-2-7
Prop Location: 208 PLEASANT ST Arlington, MA
Owner: HARTES LLC
Co-Owner:
Mailing Address:
136 BOYLSTON ST UNIT 4
BOSTON, MA 02116

Prop ID: 123-2-7.A
Prop Location: 204-206 PLEASANT ST Arlington, MA
Owner: ARONSON RICHARD B/ TRUSTEE
Co-Owner: SIRAH REALTY TRUST
Mailing Address:
204 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 123-2-7.B
Prop Location: 210 PLEASANT ST Arlington, MA
Owner: HART ALEXIS C
Co-Owner:
Mailing Address:
208 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 12-4-1.A
Prop Location: 15 PRINCETON RD Arlington, MA
Owner: MUSIAL PETER M &
Co-Owner: MUSIAL-SIWEK MONIKA
Mailing Address:
15 PRINCETON RD
ARLINGTON, MA 02474

Prop ID: 12-4-2
Prop Location: 47 SPY POND LN Arlington, MA
Owner: CONNOLLY MICHAEL ROBERT
Co-Owner:
Mailing Address:
47 SPY POND LN
ARLINGTON, MA 02474

Prop ID: 12-4-2.A
Prop Location: 49 SPY POND LN Arlington, MA
Owner: SEAVER PROPERTIES LLC
Co-Owner:
Mailing Address:
215 LEXINGTON ST
WOBURN, MA 01801

Prop ID: 12-4-3
Prop Location: 11 PRINCETON RD Arlington, MA
Owner: FERBER BENJAMIN E &
Co-Owner: DONOFRIO AIMEE K
Mailing Address:
11 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 12-4-4
Prop Location: 9 PRINCETON RD Arlington, MA
Owner: CAMERON MELANIE
Co-Owner:
Mailing Address:
9 PRINCETON RD
ARLINGTON, MA 02474

Prop ID: 137-5-1
Prop Location: 244 PLEASANT ST Arlington, MA
Owner: ROSENFELD BRUCE A/ TRUSTEE
Co-Owner: BERNARD G & GERALDINE R SEGAL
Mailing Address:
244 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-2
Prop Location: 246 PLEASANT ST Arlington, MA
Owner: EYKAMP WILLIAM & MYRIEL C
Co-Owner:
Mailing Address:
246 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-3
Prop Location: 248 PLEASANT ST Arlington, MA
Owner: YU ZHENHONG
Co-Owner: YU YUE
Mailing Address:
248 PLEASANT ST
ARLINGTON, MA 02476

Prop ID: 137-5-4
Prop Location: 252 PLEASANT ST Arlington, MA
Owner: SCHWEICH PETER
Co-Owner:
Mailing Address:
252 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 137-5-5
Prop Location: 256 PLEASANT ST Arlington, MA
Owner: SMITH MAUREEN P
Co-Owner:
Mailing Address:
256 PLEASANT STREET
ARLINGTON, MA 02476

Prop ID: 18-9-1
Prop Location: 42 SPY POND PKWY Arlington, MA
Owner: GALVIN SEAN D/TRUSTEE
Co-Owner: 389 MASS AVE REALTY TRUST
Mailing Address:
630 HIGH STREET
MEDFORD, MA 02155

Prop ID: 18-9-2
Prop Location: 46 SPY POND PKWY Arlington, MA
Owner: GALVIN SEAN D & MARIMAR
Co-Owner:
Mailing Address:
46 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 18-9-3
Prop Location: 38 SPY POND PKWY Arlington, MA
Owner: HURD JOHN/DALE
Co-Owner:
Mailing Address:
38 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 18-9-4
Prop Location: 34 SPY POND PKWY Arlington, MA
Owner: CELLA JOSEPH A/STEVEN R
Co-Owner:
Mailing Address:
34 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-1
Prop Location: 50 SPY POND PKWY Arlington, MA
Owner: COOPER MARGO M
Co-Owner:
Mailing Address:
50 SPY POND PARKWAY
ARLINGTON, MA 02474

Prop ID: 19-1-10.A
Prop Location: 18 SHERATON PK Arlington, MA
Owner: LAKE G F & L C
Co-Owner:
Mailing Address:
18 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-11.A
Prop Location: 22 SHERATON PK Arlington, MA
Owner: PURCELL DANIEL A & ROBIN/TRS
Co-Owner: THE PURCELL TRUST
Mailing Address:
22 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-12
Prop Location: 31 SHERATON PK Arlington, MA
Owner: SACCO ELAINE M
Co-Owner:
Mailing Address:
24 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-13
Prop Location: 27 SHERATON PK Arlington, MA
Owner: NOYES ROBERT W-HARRIET T
Co-Owner:
Mailing Address:
27 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-14
Prop Location: 23 SHERATON PK Arlington, MA
Owner: MIETTINEN PASI P
Co-Owner: GARRETT KATIE
Mailing Address:
23 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-15
Prop Location: 19 SHERATON PK Arlington, MA
Owner: MAVALVALA NERGIS
Co-Owner: KHAN AIDA
Mailing Address:
19 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-16
Prop Location: 15 SHERATON PK Arlington, MA
Owner: CEPPI FRANCIS G/TR
Co-Owner: FRANCIS G CEPPI REVOCABLE
Mailing Address:
15 SHERATON PARK
ARLINGTON, MA 02474

Prop ID: 19-1-2
Prop Location: 54 SPY POND PKWY Arlington, MA
Owner: DE VENECIA RONALD K
Co-Owner:
Mailing Address:
54 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-22.A
Prop Location: 96 SPY POND PKWY Arlington, MA
Owner: ZIPES JANET L
Co-Owner:
Mailing Address:
96 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-23.A
Prop Location: 100 SPY POND PKWY Arlington, MA
Owner: TIBBETTS ALETTA & RICHARD
Co-Owner:
Mailing Address:
20 ELIOT RD
ARLINGTON, MA 02474

Prop ID: 19-1-24.B
Prop Location: 104 SPY POND PKWY Arlington, MA
Owner: HERMAN BETSY H/ LIFE ESTATE
Co-Owner:
Mailing Address:
104 SPY POND PARKWAY
ARLINGTON, MA 02474

Prop ID: 19-1-3
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: KELWYN MANOR ASSOCIATION IN
Co-Owner:
Mailing Address:
23 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-4
Prop Location: 74 SPY POND PKWY Arlington, MA
Owner: BARBER BRADFORD C
Co-Owner:
Mailing Address:
74 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-5
Prop Location: 76 SPY POND PKWY Arlington, MA
Owner: PRESTON ALAN/LUANA TRUSTEE
Co-Owner: 76 SPY POND PKWY TRUST
Mailing Address:
76 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 19-1-6
Prop Location: 2 SHERATON PK Arlington, MA
Owner: THOMAS DARCY GRANT/ TRUSTEE
Co-Owner: DARCY GRANT THOMAS LIVING TR
Mailing Address:
2 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-7
Prop Location: 6 SHERATON PK Arlington, MA
Owner: FINGER JONATHAN R &
Co-Owner: KYCIA CAROL ANNE
Mailing Address:
6 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-8
Prop Location: 10 SHERATON PK Arlington, MA
Owner: PETRYSHEN TRACEY
Co-Owner:
Mailing Address:
10 SHERATON PK
ARLINGTON, MA 02474

Prop ID: 19-1-9
Prop Location: 14 SHERATON PK Arlington, MA
Owner: TRIBE CAROLYN A
Co-Owner:
Mailing Address:
5 ASH STREET
CAMBRIDGE, MA 02138

Prop ID: 20-3-1
Prop Location: 114 SPY POND PKWY Arlington, MA
Owner: CAHILL RICHARD
Co-Owner:
Mailing Address:
114 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-3-2
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: BALAZS ANDRE T
Co-Owner:
Mailing Address:
158 MERCER ST
10TH FLOOR
NEW YORK, NY 10012

Prop ID: 20-3-3
Prop Location: 122 SPY POND PKWY Arlington, MA
Owner: FANTASIA SALVATORE/FRANCA
Co-Owner:
Mailing Address:
122 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-3-4
Prop Location: 0-LOT SPY POND LN Arlington, MA
Owner: FANTASIA SALVATORE C/FRANCA
Co-Owner:
Mailing Address:
122 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 20-5-1
Prop Location: 71 SPY POND LN Arlington, MA
Owner: TURANO RONA B
Co-Owner:
Mailing Address:
71 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-1.A
Prop Location: 65 SPY POND LN Arlington, MA
Owner: DE LEO JOHN M/TRUSTEE
Co-Owner: DELEO FAMILY TRUST
Mailing Address:
65 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-2
Prop Location: 61 SPY POND LN Arlington, MA
Owner: CHADWICK DANIEL/ETAL
Co-Owner: GOLDSTEIN ROBIN E
Mailing Address:
61 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-3
Prop Location: 57 SPY POND LN Arlington, MA
Owner: KAPLAN WILLIAM H
Co-Owner:
Mailing Address:
57 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20-5-4
Prop Location: 53 SPY POND LN Arlington, MA
Owner: LOEFFLER EVAN/TRUSTEE
Co-Owner: SHAYNA W LOEFFLER IRREVOCABLE
Mailing Address:
53 SPY POND LANE
ARLINGTON, MA 02474

Prop ID: 20.A-1-101
Prop Location: 18 HAMILTON RD UNIT 101 Arlington, MA
Owner: HAINES LINDA J/ TRUSTEE
Co-Owner: HAINES FAMILY TRUST
Mailing Address:
18 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-1-102
Prop Location: 18 HAMILTON RD UNIT 102 Arlington, MA
Owner: KATES MICHAEL S
Co-Owner:
Mailing Address:
21 GREYSTONE CT
BURLINGTON, MA 01803

Prop ID: 20.A-1-103
Prop Location: 18 HAMILTON RD UNIT 103 Arlington, MA
Owner: BETTENCOURT PAULA/MARIO
Co-Owner:
Mailing Address:
43 AMSDEN
ARLINGTON, MA 02474

Prop ID: 20.A-1-104
Prop Location: 18 HAMILTON RD UNIT 104 Arlington, MA
Owner: MC EWEN KAREN B
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #104
ARLINGTON, MA 02474

Prop ID: 20.A-1-105
Prop Location: 18 HAMILTON RD UNIT 105 Arlington, MA
Owner: BAYSTATE CONDOMINIUMS LLC
Co-Owner:
Mailing Address:
956 MASS AVE
LEXINGTON, MA 02420

Prop ID: 20.A-1-106
Prop Location: 18 HAMILTON RD UNIT 106 Arlington, MA
Owner: BOJANIC IRENA
Co-Owner: SEGRT JANKO
Mailing Address:
115 BACON ST
NATICK, MA 01760

Prop ID: 20.A-1-107
Prop Location: 18 HAMILTON RD UNIT 107 Arlington, MA
Owner: STALCUP WILLIAM S
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #107
ARLINGTON, MA 02474

Prop ID: 20.A-1-108
Prop Location: 18 HAMILTON RD UNIT 108 Arlington, MA
Owner: BASSALEH JOSEPH &
Co-Owner: DECARLO MADELEINE
Mailing Address:
18 HAMILTON RD #108
ARLINGTON, MA 02474

Prop ID: 20.A-1-201
Prop Location: 18 HAMILTON RD UNIT 201 Arlington, MA
Owner: POLLINA VINCENT J
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-1-202
Prop Location: 18 HAMILTON RD UNIT 202 Arlington, MA
Owner: CADWGAN JOHONNA L
Co-Owner:
Mailing Address:
18 HAMILTON RD #202
ARLINGTON, MA 02474

Prop ID: 20.A-1-203
Prop Location: 18 HAMILTON RD UNIT 203 Arlington, MA
Owner: ESTEVES ISIS E
Co-Owner:
Mailing Address:
12 CONIFER LN
AMHERST, NH 03031

Prop ID: 20.A-1-204
Prop Location: 18 HAMILTON RD UNIT 204 Arlington, MA
Owner: HARRIS ELWYN EVERETT
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #204
ARLINGTON, MA 02474

Prop ID: 20.A-1-205
Prop Location: 18 HAMILTON RD UNIT 205 Arlington, MA
Owner: POOR RIVA/ TRUSTEE
Co-Owner: RIVA POOR 2016 TRUST
Mailing Address:
73 KIRKLAND ST
CAMBRIDGE, MA 02138

Prop ID: 20.A-1-206
Prop Location: 18 HAMILTON RD UNIT 206 Arlington, MA
Owner: STRICKLAND BARBARA B
Co-Owner:
Mailing Address:
18 HAMILTON RD UNIT 206
ARLINGTON, MA 02474

Prop ID: 20.A-1-207
Prop Location: 18 HAMILTON RD UNIT 207 Arlington, MA
Owner: MAHER JAMES M/ TRUSTEE
Co-Owner: 18 HAMILTON REALTY TRUST
Mailing Address:
966 BROADWAY
SOMERVILLE, MA 02144

Prop ID: 20.A-1-208
Prop Location: 18 HAMILTON RD UNIT 208 Arlington, MA
Owner: ALBERT ALEXANDER C
Co-Owner:
Mailing Address:
18 HAMILTON RD #208
ARLINGTON, MA 02474

Prop ID: 20.A-1-301
Prop Location: 18 HAMILTON RD UNIT 301 Arlington, MA
Owner: KALBER VIVIAN A/TRUSTEE
Co-Owner: VIVIAN A KALBER REVOCABLE TR
Mailing Address:
18 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-1-302
Prop Location: 18 HAMILTON RD UNIT 302 Arlington, MA
Owner: ESPOSITO PAUL
Co-Owner:
Mailing Address:
776 MAIN STREET
WAKEFIELD, MA 01880

Prop ID: 20.A-1-303
Prop Location: 18 HAMILTON RD UNIT 303 Arlington, MA
Owner: CROMER MACEDO LLC
Co-Owner:
Mailing Address:
15 VIRGINIA ST
SOMERVILLE, MA 02145

Prop ID: 20.A-1-304
Prop Location: 18 HAMILTON RD UNIT 304 Arlington, MA
Owner: ONEIL NANCY
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-1-305
Prop Location: 18 HAMILTON RD UNIT 305 Arlington, MA
Owner: OWEN ELIZABETH M
Co-Owner:
Mailing Address:
18 HAMILTON RD #305
ARLINGTON, MA 02474

Prop ID: 20.A-1-306
Prop Location: 18 HAMILTON RD UNIT 306 Arlington, MA
Owner: TORRESYAP GAY
Co-Owner:
Mailing Address:
18 HAMILTON RD UNIT 306
ARLINGTON, MA 02474

Prop ID: 20.A-1-307
Prop Location: 18 HAMILTON RD UNIT 307 Arlington, MA
Owner: DOUGAN BARBARA J/ LIFE ESTATE
Co-Owner:
Mailing Address:
18 HAMILTON ROAD
UNIT 307
ARLINGTON, MA 02474

Prop ID: 20.A-1-308
Prop Location: 18 HAMILTON RD UNIT 308 Arlington, MA
Owner: CLARK LINDA M/ TRUSTEE
Co-Owner: LINDA M CLARK REALTY TRUST
Mailing Address:
18 HAMILTON RD #308
ARLINGTON, MA 02474

Prop ID: 20.A-1-401
Prop Location: 18 HAMILTON RD UNIT 401 Arlington, MA
Owner: FINELLI ALYCE
Co-Owner:
Mailing Address:
177 PEMBERTON ST UNIT 14
CAMBRIDGE, MA 02140

Prop ID: 20.A-1-402
Prop Location: 18 HAMILTON RD UNIT 402 Arlington, MA
Owner: LIU YANG
Co-Owner: MIN YAO
Mailing Address:
26 LEDGELAWN AVE
LEXINGTON, MA 02420

Prop ID: 20.A-1-403
Prop Location: 18 HAMILTON RD UNIT 403 Arlington, MA
Owner: MEADOWS JULIE A
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #403
ARLINGTON, MA 02474

Prop ID: 20.A-1-404
Prop Location: 18 HAMILTON RD UNIT 404 Arlington, MA
Owner: KOLEV VIHREN N
Co-Owner: KOLEVA ROSITSA
Mailing Address:
17 REED ST #1
ARLINGTON, MA 02474

Prop ID: 20.A-1-405
Prop Location: 18 HAMILTON RD UNIT 405 Arlington, MA
Owner: KWAK MICHELLE C
Co-Owner:
Mailing Address:
511 TUMBLING HAWK
ACTON, MA 01718

Prop ID: 20.A-1-406
Prop Location: 18 HAMILTON RD UNIT 406 Arlington, MA
Owner: MURPHY KATHERINE
Co-Owner: HERBERT PATRICIA
Mailing Address:
18 HAMILTON RD #406
ARLINGTON, MA 02474

Prop ID: 20.A-1-407
Prop Location: 18 HAMILTON RD UNIT 407 Arlington, MA
Owner: WALSH LAUREN/ TRUSTEE
Co-Owner: SPY POND CONDO TRUST
Mailing Address:
144 WHITE ST
BELMONT, MA 02478

Prop ID: 20.A-1-408
Prop Location: 18 HAMILTON RD UNIT 408 Arlington, MA
Owner: GOODMAN THEODORE & CHIKAKO/ TRS
Co-Owner: CHIKAKO GOODMAN REVOCABLE TR
Mailing Address:
18 HAMILTON RD UNIT 408
ARLINGTON, MA 02474

Prop ID: 20.A-1-501
Prop Location: 18 HAMILTON RD UNIT 501 Arlington, MA
Owner: MOREIRA JOSEPH
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #501
ARLINGTON, MA 02474

Prop ID: 20.A-1-502
Prop Location: 18 HAMILTON RD UNIT 502 Arlington, MA
Owner: KLEIN MARA L
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #502
ARLINGTON, MA 02474

Prop ID: 20.A-1-503
Prop Location: 18 HAMILTON RD UNIT 503 Arlington, MA
Owner: LAHAIE CLAUDETTE M
Co-Owner:
Mailing Address:
83 SASSAFRAS ST
WELLS, ME 04090

Prop ID: 20.A-1-504
Prop Location: 18 HAMILTON RD UNIT 504 Arlington, MA
Owner: COTRONEO VINCENZO
Co-Owner:
Mailing Address:
18 HAMILTON RD #504
ARLINGTON, MA 02474

Prop ID: 20.A-1-505
Prop Location: 18 HAMILTON RD UNIT 505 Arlington, MA
Owner: GOYAL KAPISH
Co-Owner:
Mailing Address:
858 POINT WAY
VA BEACH, VA 23462

Prop ID: 20.A-1-506
Prop Location: 18 HAMILTON RD UNIT 506 Arlington, MA
Owner: TOPLIN HOLDEN &
Co-Owner: YANG ZHENYAN
Mailing Address:
18 HAMILTON ROAD #506
ARLINGTON, MA 02474

Prop ID: 20.A-1-507
Prop Location: 18 HAMILTON RD UNIT 507 Arlington, MA
Owner: POST ARJAN
Co-Owner:
Mailing Address:
18 HAMILTON ROAD #507
ARLINGTON, MA 02474

Prop ID: 20.A-1-508
Prop Location: 18 HAMILTON RD UNIT 508 Arlington, MA
Owner: OHN KIMBERLY
Co-Owner:
Mailing Address:
18 HAMILTON RD
UNIT 508
ARLINGTON, MA 02474

Prop ID: 20.A-2-101
Prop Location: 20 HAMILTON RD UNIT 101 Arlington, MA
Owner: PATEY SARA
Co-Owner:
Mailing Address:
8 PARKER RD
SHIRLEY, MA 01464

Prop ID: 20.A-2-102
Prop Location: 20 HAMILTON RD UNIT 102 Arlington, MA
Owner: SULLIVAN DIANE M
Co-Owner:
Mailing Address:
20 HAMILTON RD #102
ARLINGTON, MA 02474

Prop ID: 20.A-2-103
Prop Location: 20 HAMILTON RD UNIT 103 Arlington, MA
Owner: BETTENCOURT MARIO S--ETAL
Co-Owner: BETTENCOURT PAULA M
Mailing Address:
43 AMSDEN STREET
ARLINGTON, MA 02474

Prop ID: 20.A-2-104
Prop Location: 20 HAMILTON RD UNIT 104 Arlington, MA
Owner: CARROLL THOMAS J JR/ TRUSTEE
Co-Owner: MOCCIA IRREVOCABLE TRUST
Mailing Address:
132 ROBBINS RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-105
Prop Location: 22 HAMILTON RD UNIT 105 Arlington, MA
Owner: SEGRT JANKO
Co-Owner: BOJANIC IRENA
Mailing Address:
115 BACON ST
NATICK, MA 01760

Prop ID: 20.A-2-106
Prop Location: 22 HAMILTON RD UNIT 106 Arlington, MA
Owner: ZHAO LIJIAN
Co-Owner: KANTOR MARK
Mailing Address:
75 BEVERLY RD
ARLINGTON, MA 02474

Prop ID: 20.A-2-107
Prop Location: 22 HAMILTON RD UNIT 107 Arlington, MA
Owner: MARGOLIN BARRY W
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #107
ARLINGTON, MA 02474

Prop ID: 20.A-2-108
Prop Location: 22 HAMILTON RD UNIT 108 Arlington, MA
Owner: FUCHS DEBORAH
Co-Owner:
Mailing Address:
PO BOX 23
PETERSHAM, MA 01366

Prop ID: 20.A-2-201
Prop Location: 20 HAMILTON RD UNIT 201 Arlington, MA
Owner: O CONNOR WILLIAM J
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-2-202
Prop Location: 20 HAMILTON RD UNIT 202 Arlington, MA
Owner: OBRIEN HAYLEY E
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #202
ARLINGTON, MA 02474

Prop ID: 20.A-2-203
Prop Location: 20 HAMILTON RD UNIT 203 Arlington, MA
Owner: SULLIVAN DIANE M
Co-Owner: KNOTT FRANCES K
Mailing Address:
20 HAMILTON RD UNIT 102
ARLINGTON, MA 02474

Prop ID: 20.A-2-204
Prop Location: 20 HAMILTON RD UNIT 204 Arlington, MA
Owner: MATHIASSEN KAREN
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #204
ARLINGTON, MA 02474

Prop ID: 20.A-2-205
Prop Location: 22 HAMILTON RD UNIT 205 Arlington, MA
Owner: HALLIDAY MARK
Co-Owner:
Mailing Address:
54 BRANTWOOD RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-206
Prop Location: 22 HAMILTON RD UNIT 206 Arlington, MA
Owner: TINCH PETER M
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #206
ARLINGTON, MA 02474

Prop ID: 20.A-2-207
Prop Location: 22 HAMILTON RD UNIT 207 Arlington, MA
Owner: GARDNER P J
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #207
ARLINGTON, MA 02474

Prop ID: 20.A-2-208
Prop Location: 22 HAMILTON RD UNIT 208 Arlington, MA
Owner: CARROLL THOMAS J/CORINNE K
Co-Owner:
Mailing Address:
132 ROBBINS RD
ARLINGTON, MA 02476

Prop ID: 20.A-2-301
Prop Location: 20 HAMILTON RD UNIT 301 Arlington, MA
Owner: RANDOLPH ANNE
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-2-302
Prop Location: 20 HAMILTON RD UNIT 302 Arlington, MA
Owner: BODNYA RAISA/LEONID/TRS
Co-Owner: BODNYA TRUST
Mailing Address:
20 HAMILTON ROAD #302
ARLINGTON, MA 02474

Prop ID: 20.A-2-303
Prop Location: 20 HAMILTON RD UNIT 303 Arlington, MA
Owner: ROCKLAND TRUST COMPANY/ TRS
Co-Owner: ROCHELLE ANDREA WOLFE TRUST
Mailing Address:
2036 WASHINGTON ST
HANOVER, MA 02339

Prop ID: 20.A-2-304
Prop Location: 20 HAMILTON RD UNIT 304 Arlington, MA
Owner: BROWN GERDA
Co-Owner:
Mailing Address:
20 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-2-305
Prop Location: 22 HAMILTON RD UNIT 305 Arlington, MA
Owner: JACOBSON ALAN J
Co-Owner:
Mailing Address:
225 COOLIDGE AVE #106
WATERTOWN, MA 02472

Prop ID: 20.A-2-306
Prop Location: 22 HAMILTON RD UNIT 306 Arlington, MA
Owner: SULLIVAN MARY F
Co-Owner: C/O CONLIN
Mailing Address:
7 DEXTER ROAD
WELLESLEY, MA 02482

Prop ID: 20.A-2-307
Prop Location: 22 HAMILTON RD UNIT 307 Arlington, MA
Owner: FAIOLA CAROL
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #307
ARLINGTON, MA 02474

Prop ID: 20.A-2-308
Prop Location: 22 HAMILTON RD UNIT 308 Arlington, MA
Owner: GILMAN LISA R
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-2-401
Prop Location: 20 HAMILTON RD UNIT 401 Arlington, MA
Owner: FRASER ELIZABETH G
Co-Owner:
Mailing Address:
20 HAMILTON RD #401
ARLINGTON, MA 02474

Prop ID: 20.A-2-402
Prop Location: 22 HAMILTON RD UNIT 402 Arlington, MA
Owner: LIEM SIOE L
Co-Owner:
Mailing Address:
22 HAMILTON ROAD #402
ARLINGTON, MA 02474

Prop ID: 20.A-3-101
Prop Location: 30 HAMILTON RD UNIT 101 Arlington, MA
Owner: FOLEY DENNIS P
Co-Owner:
Mailing Address:
30 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-3-102
Prop Location: 30 HAMILTON RD UNIT 102 Arlington, MA
Owner: LEUNG EILEEN
Co-Owner: DO HIEN VAN
Mailing Address:
32 PILGRAM RD
BELMONT, MA 02478

Prop ID: 20.A-3-103
Prop Location: 30 HAMILTON RD UNIT 103 Arlington, MA
Owner: YOU GO GIRL! LLC
Co-Owner:
Mailing Address:
38 BOWDOIN ST
CAMBRIDGE, MA 02138

Prop ID: 20.A-3-104
Prop Location: 30 HAMILTON RD UNIT 104 Arlington, MA
Owner: BRASGO LLC
Co-Owner:
Mailing Address:
17 BURROUGHS RD
LEXINGTON, MA 02420

Prop ID: 20.A-3-105
Prop Location: 32 HAMILTON RD UNIT 105 Arlington, MA
Owner: ELLIS ELIZABETH ANN
Co-Owner:
Mailing Address:
1337 MASS AVE #134
ARLINGTON, MA 02476

Prop ID: 20.A-3-106
Prop Location: 32 HAMILTON RD UNIT 106 Arlington, MA
Owner: FLETCHER WILLIAM B
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #106
ARLINGTON, MA 02474

Prop ID: 20.A-3-107
Prop Location: 32 HAMILTON RD UNIT 107 Arlington, MA
Owner: CUMMINS JOHN J JR & STACIA J/
Co-Owner: TRS/SUSAN J CUMMINS FAMILY
Mailing Address:
14 RADCLIFFE RD
ARLINGTON, MA 02474

Prop ID: 20.A-3-108
Prop Location: 32 HAMILTON RD UNIT 108 Arlington, MA
Owner: MASON REBECCA
Co-Owner:
Mailing Address:
32 HAMILTON RD UNIT 108
ARLINGTON, MA 02474

Prop ID: 20.A-3-201
Prop Location: 30 HAMILTON RD UNIT 201 Arlington, MA
Owner: TSERING LHAMO
Co-Owner:
Mailing Address:
4 BRIDLE PATH
SUDBURY, MA 01776

Prop ID: 20.A-3-202
Prop Location: 30 HAMILTON RD UNIT 202 Arlington, MA
Owner: LOUNKINE EUGEN &
Co-Owner: WANG YUAN
Mailing Address:
30 HAMILTON RD UNIT 202
ARLINGTON, MA 02474

Prop ID: 20.A-3-203
Prop Location: 30 HAMILTON RD UNIT 203 Arlington, MA
Owner: O'DONNELL AGNES E & NICHOLAS
Co-Owner: TRS/ AGNES E O'DONNELL 2017
Mailing Address:
30 HAMILTON RD #203
ARLINGTON, MA 02474

Prop ID: 20.A-3-204
Prop Location: 30 HAMILTON RD UNIT 204 Arlington, MA
Owner: MC CORMICK GAIL T/TRUSTEE
Co-Owner: GAIL MC CORMICK TRUST
Mailing Address:
30 HAMILTON RD UNIT 204
ARLINGTON, MA 02474

Prop ID: 20.A-3-205
Prop Location: 32 HAMILTON RD UNIT 205 Arlington, MA
Owner: DE LEO JOSEPH F &
Co-Owner: MANCA MARYBETH
Mailing Address:
188 DALTON RD
BELMONT, MA 02478

Prop ID: 20.A-3-206
Prop Location: 32 HAMILTON RD UNIT 206 Arlington, MA
Owner: SELANDER NANCY
Co-Owner:
Mailing Address:
32 HAMILTON RD #206
ARLINGTON, MA 02474

Prop ID: 20.A-3-207
Prop Location: 32 HAMILTON RD UNIT 207 Arlington, MA
Owner: SCHLEGEL FABRICE
Co-Owner:
Mailing Address:
18 YERXA RD #2
CAMBRIDGE, MA 02140

Prop ID: 20.A-3-208
Prop Location: 32 HAMILTON RD UNIT 208 Arlington, MA
Owner: SNOW JEANNE J/TRUSTEE
Co-Owner: JEANNE SNOW 2005 TRUST
Mailing Address:
32 HAMILTON ROAD #208
ARLINGTON, MA 02474

Prop ID: 20.A-3-301
Prop Location: 30 HAMILTON RD UNIT 301 Arlington, MA
Owner: CASO MICHAEL A
Co-Owner:
Mailing Address:
30 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-3-302
Prop Location: 30 HAMILTON RD UNIT 302 Arlington, MA
Owner: CONSTABLE ROBERT
Co-Owner:
Mailing Address:
343 CODDINGTON RD
ITHACA, NY 14850

Prop ID: 20.A-3-303
Prop Location: 30 HAMILTON RD UNIT 303 Arlington, MA
Owner: LISCO THOMAS E
Co-Owner:
Mailing Address:
30 HAMILTON ROAD #303
ARLINGTON, MA 02474

Prop ID: 20.A-3-304
Prop Location: 30 HAMILTON RD UNIT 304 Arlington, MA
Owner: SCRIBNER FRED C III
Co-Owner:
Mailing Address:
PO BOX 31
PORTLAND, ME 04112

Prop ID: 20.A-3-305
Prop Location: 32 HAMILTON RD UNIT 305 Arlington, MA
Owner: ABBOTT MARK F
Co-Owner:
Mailing Address:
32 HAMILTON RD #305
ARLINGTON, MA 02476

Prop ID: 20.A-3-306
Prop Location: 32 HAMILTON RD UNIT 306 Arlington, MA
Owner: HUANG LI
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #32-306
ARLINGTON, MA 02474

Prop ID: 20.A-3-307
Prop Location: 32 HAMILTON RD UNIT 307 Arlington, MA
Owner: CATALDO LILLIAN
Co-Owner: M/T CATALDO HENRY J
Mailing Address:
15R CHANDLER ST
SOMERVILLE, MA 02144

Prop ID: 20.A-3-308
Prop Location: 32 HAMILTON RD UNIT 308 Arlington, MA
Owner: DIESING LOIS R / ETAL / TRS
Co-Owner: LOIS R DIESING TRUST
Mailing Address:
32 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-3-401
Prop Location: 30 HAMILTON RD UNIT 401 Arlington, MA
Owner: TASHIRO MASAKAZU & YASUHISA
Co-Owner:
Mailing Address:
PO BOX 410042
EAST CAMBRIDGE, MA 02141

Prop ID: 20.A-3-402
Prop Location: 32 HAMILTON RD UNIT 402 Arlington, MA
Owner: GROSSMAN KAREN L
Co-Owner:
Mailing Address:
32 HAMILTON ROAD #402
ARLINGTON, MA 02474

Prop ID: 20.A-4-101
Prop Location: 34 HAMILTON RD UNIT 101 Arlington, MA
Owner: VANDIVIER LEE ELLIOT
Co-Owner: HSIAO MINGHUA
Mailing Address:
34 HAMILTON RD #101
ARLINGTON, MA 02474

Prop ID: 20.A-4-102
Prop Location: 34 HAMILTON RD UNIT 102 Arlington, MA
Owner: BETTS ALLISON
Co-Owner:
Mailing Address:
5701 AVENIDA CHIQUITA NW
ALBUQUERQUE, NM 87120

Prop ID: 20.A-4-103
Prop Location: 34 HAMILTON RD UNIT 103 Arlington, MA
Owner: CONROY KRISTINA M
Co-Owner:
Mailing Address:
34 HAMILTON ROAD UNIT 103
ARLINGTON, MA 02474

Prop ID: 20.A-4-104
Prop Location: 34 HAMILTON RD UNIT 104 Arlington, MA
Owner: CHIVUKULA RAMAKRISHNA
Co-Owner: MALLAPRAGADA SOUJANYA G
Mailing Address:
21 BISHOP RD
SHARON, MA 02067

Prop ID: 20.A-4-105
Prop Location: 34 HAMILTON RD UNIT 105 Arlington, MA
Owner: BRAIDA LOUIS D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #105
ARLINGTON, MA 02474

Prop ID: 20.A-4-106
Prop Location: 34 HAMILTON RD UNIT 106 Arlington, MA
Owner: ALEXANDER ROBERT BRUCE
Co-Owner: HUANG ADRIAN
Mailing Address:
53 PAUL REVERE RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-107
Prop Location: 34 HAMILTON RD UNIT 107 Arlington, MA
Owner: BRAIDA LOUIS D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD
UNIT 105
ARLINGTON, MA 02474

Prop ID: 20.A-4-108
Prop Location: 34 HAMILTON RD UNIT 108 Arlington, MA
Owner: HUANG ADRIAN
Co-Owner: ALEXANDER ROBERT BRUCE
Mailing Address:
53 PAUL REVERE RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-109
Prop Location: 34 HAMILTON RD UNIT 109 Arlington, MA
Owner: BETTENCOURT MARIO & PAULA
Co-Owner:
Mailing Address:
43 AMSDEN STREET
ARLINGTON, MA 02474

Prop ID: 20.A-4-110
Prop Location: 34 HAMILTON RD UNIT 110 Arlington, MA
Owner: JOHNSON DEREK S
Co-Owner:
Mailing Address:
2393 LAKE SHORE ROAD #36
GILFORD, NH 03249

Prop ID: 20.A-4-201
Prop Location: 34 HAMILTON RD UNIT 201 Arlington, MA
Owner: FENNER MARGARET L
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #201
ARLINGTON, MA 02474

Prop ID: 20.A-4-202
Prop Location: 34 HAMILTON RD UNIT 202 Arlington, MA
Owner: SULLIVAN BRENDAN
Co-Owner:
Mailing Address:
319 LAKE STREET
ARLINGTON, MA 02476

Prop ID: 20.A-4-203
Prop Location: 34 HAMILTON RD UNIT 203 Arlington, MA
Owner: KANDILIAN FAGHARCH
Co-Owner:
Mailing Address:
27 ESTABROOK RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-204
Prop Location: 34 HAMILTON RD UNIT 204 Arlington, MA
Owner: MUJAGIC NADIJA
Co-Owner:
Mailing Address:
935 BROADWAY UNIT 1
SOMERVILLE, MA 02144

Prop ID: 20.A-4-205
Prop Location: 34 HAMILTON RD UNIT 205 Arlington, MA
Owner: COLEMAN DIANA T
Co-Owner:
Mailing Address:
1 RICHDAL AVE UNIT 12
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-206
Prop Location: 34 HAMILTON RD UNIT 206 Arlington, MA
Owner: YANG XIAOQING
Co-Owner: WU YECHENG
Mailing Address:
5 APPLETREE LN
LEXINGTON, MA 02420

Prop ID: 20.A-4-207
Prop Location: 34 HAMILTON RD UNIT 207 Arlington, MA
Owner: COLEMAN DIANA T
Co-Owner:
Mailing Address:
1 RICHDAL AVE UNIT 12
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-208
Prop Location: 34 HAMILTON RD UNIT 208 Arlington, MA
Owner: WANG SEN &
Co-Owner: XU HONGQIANG
Mailing Address:
34 HAMILTON RD #208
ARLINGTON, MA 02474

Prop ID: 20.A-4-209
Prop Location: 34 HAMILTON RD UNIT 209 Arlington, MA
Owner: REARDON WILLIAM F JR/TRUSTEE
Co-Owner: 34-209 REALTY TRUST
Mailing Address:
34 HAMILTON RD UNIT 209
ARLINGTON, MA 02474

Prop ID: 20.A-4-210
Prop Location: 34 HAMILTON RD UNIT 210 Arlington, MA
Owner: SUBRAMANIAN BALACHUNDHAR
Co-Owner: SACHITHANANDHAM KALPANA
Mailing Address:
34 HAMILTON RD # 210
ARLINGTON, MA 02474

Prop ID: 20.A-4-301
Prop Location: 34 HAMILTON RD UNIT 301 Arlington, MA
Owner: JOLKOVSKI ROBERT M
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #301
ARLINGTON, MA 02474

Prop ID: 20.A-4-302
Prop Location: 34 HAMILTON RD UNIT 302 Arlington, MA
Owner: YANUSHPOLSKY MIRAM FEIGA &
Co-Owner: JOSEPH & SHAUMYAN GALINA/TR
Mailing Address:
34 HAMILTON ROAD #302
ARLINGTON, MA 02474

Prop ID: 20.A-4-303
Prop Location: 34 HAMILTON RD UNIT 303 Arlington, MA
Owner: NAGAYAMA KEIKO
Co-Owner:
Mailing Address:
34 HAMILTON RD #303
ARLINGTON, MA 02474

Prop ID: 20.A-4-304
Prop Location: 34 HAMILTON RD UNIT 304 Arlington, MA
Owner: POURALI SHAHRAM
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #304
ARLINGTON, MA 02474

Prop ID: 20.A-4-305
Prop Location: 34 HAMILTON RD UNIT 305 Arlington, MA
Owner: MITCHELL A. KATALIN
Co-Owner:
Mailing Address:
169 CENTRAL ST
FRAMINGHAM, MA 01701

Prop ID: 20.A-4-306
Prop Location: 34 HAMILTON RD UNIT 306 Arlington, MA
Owner: BRETON JOSEPH F & JOAN M
Co-Owner:
Mailing Address:
24 MIDLAND DRIVE
WALTHAM, MA 02451

Prop ID: 20.A-4-307
Prop Location: 34 HAMILTON RD UNIT 307 Arlington, MA
Owner: MOLINA LIZA
Co-Owner: PHILLIPS THOMAS
Mailing Address:
34 HAMILTON RD # 307
ARLINGTON, MA 02474

Prop ID: 20.A-4-308
Prop Location: 34 HAMILTON RD UNIT 308 Arlington, MA
Owner: BYRON PAMELA D
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #308
ARLINGTON, MA 02474

Prop ID: 20.A-4-309
Prop Location: 34 HAMILTON RD UNIT 309 Arlington, MA
Owner: ALEXIOU ALICE SPARBERG
Co-Owner: ALEXIOU NICHOLAS D
Mailing Address:
140 WEST END AVE APT 20C
NEW YORK, NY 10023

Prop ID: 20.A-4-310
Prop Location: 34 HAMILTON RD UNIT 310 Arlington, MA
Owner: THE 2005 C & J LLC
Co-Owner:
Mailing Address:
1 CHURCHILL PLACE
ARLINGTON, MA 02476

Prop ID: 20.A-4-401
Prop Location: 34 HAMILTON RD UNIT 401 Arlington, MA
Owner: BLUMENTHAL ELIZABETH A
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #401
ARLINGTON, MA 02474

Prop ID: 20.A-4-402
Prop Location: 34 HAMILTON RD UNIT 402 Arlington, MA
Owner: LOPRESTE FRANK A JR
Co-Owner:
Mailing Address:
32 MCGINNESS WAY
BILLERICA, MA 01821

Prop ID: 20.A-4-403
Prop Location: 34 HAMILTON RD UNIT 403 Arlington, MA
Owner: FENNER MARGARET
Co-Owner:
Mailing Address:
34 HAMILTON RD # 201
ARLINGTON, MA 02474

Prop ID: 20.A-4-404
Prop Location: 34 HAMILTON RD UNIT 404 Arlington, MA
Owner: CORNELL JOANNE
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #404
ARLINGTON, MA 02474

Prop ID: 20.A-4-405
Prop Location: 34 HAMILTON RD UNIT 405 Arlington, MA
Owner: MIGHILL CHARLES T--ETAL
Co-Owner: GILSON CHARLOTTE
Mailing Address:
34 HAMILTON ROAD #405
ARLINGTON, MA 02474

Prop ID: 20.A-4-406
Prop Location: 34 HAMILTON RD UNIT 406 Arlington, MA
Owner: SWITZER SHARON C
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #406
ARLINGTON, MA 02474

Prop ID: 20.A-4-407
Prop Location: 34 HAMILTON RD UNIT 407 Arlington, MA
Owner: LOW UTA MARION
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #407
ARLINGTON, MA 02474

Prop ID: 20.A-4-408
Prop Location: 34 HAMILTON RD UNIT 408 Arlington, MA
Owner: SHAKYA MAHENDRA & SUBARNA
Co-Owner:
Mailing Address:
544 PRENTICE ST
HOLLISTON, MA 01746

Prop ID: 20.A-4-409
Prop Location: 34 HAMILTON RD UNIT 409 Arlington, MA
Owner: KLEPPNER PAUL S
Co-Owner: MUI LINDA P
Mailing Address:
213 FOLLEN ROAD
LEXINGTON, MA 02421

Prop ID: 20.A-4-410
Prop Location: 34 HAMILTON RD UNIT 410 Arlington, MA
Owner: DOLHARE VISHAKHA
Co-Owner:
Mailing Address:
30 CAMBRIDGEPARK DR
UNIT 3107
CAMBRIDGE, MA 02140

Prop ID: 20.A-4-501
Prop Location: 34 HAMILTON RD UNIT 501 Arlington, MA
Owner: ZHAO QIN
Co-Owner: YU BEI
Mailing Address:
17 CLELLAND RD
LEXINGTON, MA 02421

Prop ID: 20.A-4-502
Prop Location: 34 HAMILTON RD UNIT 502 Arlington, MA
Owner: HARE BRIAN J
Co-Owner: NARDONE JULIE M
Mailing Address:
34 HAMILTON RD #502
ARLINGTON, MA 02474

Prop ID: 20.A-4-503
Prop Location: 34 HAMILTON RD UNIT 503 Arlington, MA
Owner: SHUTE PRISCILLA E
Co-Owner:
Mailing Address:
34 HAMILTON ROAD #503
ARLINGTON, MA 02474

Prop ID: 20.A-4-504
Prop Location: 34 HAMILTON RD UNIT 504 Arlington, MA
Owner: HARRIS MATTHEW J
Co-Owner:
Mailing Address:
34 HAMILTON RD UNIT 504
ARLINGTON, MA 02474

Prop ID: 20.A-4-505
Prop Location: 34 HAMILTON RD UNIT 505 Arlington, MA
Owner: FABIANO JOHN G/ TRUSTEE
Co-Owner: JEROME P FACHER REVOCABLE TRUS
Mailing Address:
31 HOMEWOOD RD
WABAN, MA 02468

Prop ID: 20.A-4-506
Prop Location: 34 HAMILTON RD UNIT 506 Arlington, MA
Owner: EWINS GEORGE D JR ETAL /TRS
Co-Owner: ELIZABETH I EWINS SUPPLEMENTAL
Mailing Address:
2979 GREENBUSH RD
CHARLOTTE, VT 05445

Prop ID: 20.A-4-507
Prop Location: 34 HAMILTON RD UNIT 507 Arlington, MA
Owner: ANDERSON ERIC HALL/ TRUSTEE
Co-Owner: ERIC HALL ANDERSON TRUST- 2019
Mailing Address:
34 HAMILTON ROAD #507
ARLINGTON, MA 02474

Prop ID: 20.A-4-508
Prop Location: 34 HAMILTON RD UNIT 508 Arlington, MA
Owner: RAPARTHI LALITHA
Co-Owner: VIRUPAKSHA RAPARTHI
Mailing Address:
34 HAMILTON RD UNIT 508
ARLINGTON, MA 02474

Prop ID: 20.A-4-509
Prop Location: 34 HAMILTON RD UNIT 509 Arlington, MA
Owner: FESKO COLLEENE TRUSTEE
Co-Owner: 34 HAMILTON ROAD TRUST
Mailing Address:
34 HAMILTON ROAD #509
ARLINGTON, MA 02474

Prop ID: 20.A-4-510
Prop Location: 34 HAMILTON RD UNIT 510 Arlington, MA
Owner: JUROW KATHLEEN A
Co-Owner:
Mailing Address:
12 CARVER STREET
SOMERVILLE, MA 02143

Prop ID: 21-2-1
Prop Location: 16 SPY POND PKWY Arlington, MA
Owner: SRIDHAR SRAVISH
Co-Owner: SRAVISH AKHILA
Mailing Address:
16 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-2.A
Prop Location: 18 SPY POND PKWY Arlington, MA
Owner: ONEILL EUGENE F/ LIFE ESTATE
Co-Owner:
Mailing Address:
18 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-3
Prop Location: 22 SPY POND PKWY Arlington, MA
Owner: ROSS FRANCES M
Co-Owner: BATTUELLO BRIAN V
Mailing Address:
22 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-4
Prop Location: 26 SPY POND PKWY Arlington, MA
Owner: CHHABRA SAMIT & ANN M
Co-Owner:
Mailing Address:
26 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 21-2-5
Prop Location: 30 SPY POND PKWY Arlington, MA
Owner: MC CANN JOHN J & MARY A
Co-Owner:
Mailing Address:
30 SPY POND PKWY
ARLINGTON, MA 02474

Prop ID: 7-5-1
Prop Location: 45-45A LAKEHILL AVE Arlington, MA
Owner: LIU ZIJIE
Co-Owner: LUO XIANGLING
Mailing Address:
45 LAKEHILL AVE
ARLINGTON, MA 02474

Prop ID: 7-6-1
Prop Location: 46-48 LAKEHILL AVE Arlington, MA
Owner: PEDRELLI NINO
Co-Owner: BRASHEARS BRUNA
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-6-2
Prop Location: 42-44 LAKEHILL AVE Arlington, MA
Owner: DOANE JOAN S
Co-Owner:
Mailing Address:
42 LAKEHILL AVE
ARLINGTON, MA 02474

Prop ID: 7-6-25
Prop Location: 39 ALFRED RD Arlington, MA
Owner: GERA LIVIO J & GLORIA L
Co-Owner: TRUSTEES/LIVIO GERA TRUST
Mailing Address:
39 ALFRED RD
ARLINGTON, MA 02474

Prop ID: 7-6-26
Prop Location: 2-4 PRINCETON RD Arlington, MA
Owner: KOPANS DAVID B/LAUREN SUE
Co-Owner:
Mailing Address:
2 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 7-7-1
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: PEDRELLI BRUNO & THELIA
Co-Owner:
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-7-2
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: PEDRELLI BRUNO & THELIA
Co-Owner:
Mailing Address:
3755 GLENHURST AVE SOUTH
ST LOUIS PARK, MN 55416

Prop ID: 7-7-3
Prop Location: 0-LOT SPY POND PKWY Arlington, MA
Owner: KOPANS DAVID P/LAUREN SUE
Co-Owner:
Mailing Address:
2 PRINCETON ROAD
ARLINGTON, MA 02474

Prop ID: 9-3-3
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

Prop ID: 9-4-1
Prop Location: 0-LOT POND LN Arlington, MA
Owner: TOWN OF ARLINGTON PARK
Co-Owner:
Mailing Address:
730 MASS AVE
ARLINGTON, MA 02476

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
And Arlington Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Arlington Conservation Commission will hold a public hearing **via Zoom** or in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on Thursday, June 3, 2021, at or after 7 pm in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington By-Laws Article 8, By-Law for Wetland Protection, for a Notice of Intent from the Town of Arlington Conservation Commission for an Aquatic Management Program to control nuisance and non-native plant and algae growth at Spy Pond, within 100 feet of a wetland.

A copy of the application and accompanying plans are available for inspection Mon. – Fri. 8am-Noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue and by contacting the applicant's representative, SOLitude Lake Management at (508) 865-1000 or info@solitudelake.com

For more information, call the Arlington Conservation Commission at (781) 316-3012, or SOLitude Lake Management at (508) 865-1000, or DEP Northeast Regional Office, (978) 694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) days in advance in *The Arlington Advocate* and be posted not less than 48 hours in advance in the Arlington Town Hall.

APPENDIX 5

AFFIDAVIT OF SERVICE

(Return to Conservation Commission)

I, Amanda Mahaney, being duly sworn, do hereby state as follows: on May 20, 2021, I mailed a “Notification to Abutters” in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 20 day of May,

Amanda Mahaney
Name

APPENDIX 6

LEGAL NOTICE CHARGE AUTHORIZATION

DATE:

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to
be published in the Arlington Advocate newspaper on June 3, 2021 for a public
hearing with the Arlington Conservation Commission to review a project at the
following location: Spy Pond

Thank you.

Signed:

Send bill to: Arlington Conservation Commission
730 Mass Ave
Arlington, MA 02476

Phone:

To: The Environmental Monitor

From: SOLitude Lake Management

Date: May 5, 2021

Re: Notification of filing an NOI for Spy Pond

Anticipated date of submission: May 20, 2021

The proposed project is seeking approval to initiate an Aquatic Management Program at Spy Pond in Arlington, MA. USEPA/State registered herbicides and/or algaecides will be applied to manage non-native and nuisance aquatic vegetation and algae to protect the interests of the Wetlands Protection Act by impeding eutrophication and improving habitat value.

Reviewing Conservation Commission(s):

Arlington Conservation Commission
Town Hall
730 Massachusetts Avenue
Arlington, MA 02476

Copies of the NOI may be examined or acquired from the Conservation Commission, or by contacting the applicant's representative, SOLitude Lake Management, info@solitudelake.com, or 508-865-1000, Monday and Friday between 9AM and 4PM.

See Conservation Commission website for the meeting schedule for exact dates and agendas.

ATTACHMENT B

Project Description

1.0 INTRODUCTION

The “Applicant”, the Town of Arlington Conservation Commission, is seeking approval to continue an Aquatic Management Program at Spy Pond. The objective of the management program is to control growth of submersed, non-native aquatic plant species, most notably Curly-leaf Pondweed (*Potamogeton crispus*), spiny naiad (*Najas minor*), and with potential for significant return- Eurasian Watermilfoil (*Myriophyllum spicatum*), to maintain open water habitat, improve water quality, promote growth of less pervasive native plant species and provide safe recreational access to the pond. Based on the type, distribution and density of nuisance species in Spy Pond, it has been concluded the restoration goals of the Applicant can best be achieved through the prudent use of monitoring, hand-pulling, diver-assisted suction harvesting (DASH), and US EPA/MDAR registered herbicides/algaecides.

The proposed project has been filed as an Ecological Restoration Limited Project under 310 CMR 10.53(4) and will protect the interest of the Wetland Protection Act by controlling invasive species, improving fish habitat, improving water quality and slowing lake eutrophication.¹



2.0 PROBLEM STATEMENT

Spy Pond is a 102-acre waterbody located in Arlington, MA (Figure 1). The lake is a glaciated “kettle hole” waterbody separated by an uninhabited island; the average depth is 14 feet with the deepest point of 38 feet in the northern basin. The pond has a large littoral area that supports extensive growth of non-native and native submersed vegetation. When unmanaged, dense, topped-out aquatic plant growth is out-competing and displacing beneficial native species, degrading water quality and fish/wildlife habitat, and reducing recreational access to the lake. Elevated phosphorus levels in Spy

¹ Department of Environmental Protection. Guidance for Aquatic Plant Management in Lake and Ponds as it Relates to the Wetlands Protection Act: April 2004, 1 p.

Pond have been known to cause nuisance algal blooms, most concerning of which is cyanobacteria (blue-green algae) and may again require management with alum or necessitate management of blooms with algaecides. Based on the goals of the Applicant, a management program using monitoring, hand-pulling, DASH, and chemical treatment with US EPA / MDAR approved herbicides and algaecides to control the nuisance plant and algae species to restore and maintain open-water conditions and maintain desirable water quality.

Since 1999, management and monitoring of invasive plants has been performed at Spy Pond. Diquat, fluridone, and glyphosate have been the primary herbicides used at the pond and were applied, to varying degrees, between 1999 and 2020. The pond was also treated in 2004 with buffered alum to manage phosphorus levels which resulted in improved water clarity and reduced algal growth.

3.0 SITE DESCRIPTION

| Spy Pond ² | |
|-------------------------------|--|
| Surface Area (acres) | 102 |
| Est. Average Depth (feet) | 14 |
| Maximum Reported Depth (feet) | 38 |
| Estimated Volume | 1428 ac-ft. (465 million gal.) |
| Dominant Plant Species | Eurasian watermilfoil Curly-leaf pondweed Thin-leaf pondweed Common reed Stonewort (Macro-alga) Spiny Naiad |

Due to its nature as a “kettle hole” pond, there is no regularly flowing inlet. A number of storm drains discharge directly to the pond. The outlet is located in the southern end, leading to Little Pond and the Alewife River. The shoreline of Spy Pond supports moderate to extensive residential development and the lake is widely used for fishing, boating, and passive wildlife viewing.

4.0 EXISTING CONDITIONS

A survey of the lake and its current condition was performed in May 2020 (Figure 3). At the time of this survey, the pond supported sparse vegetation throughout the littoral zone, the result of a fluridone treatment in 2020 to reduce dense growth of various aquatic invasive plant species, but specifically Eurasian watermilfoil, curly-leaf pondweed and spiny naiad (Figure 4). Numerous other submersed vegetation species were also present scattered throughout the pond, including thin-leaf pondweed (*Potamogeton pusillus*), sago pondweed (*Stuckenia pectinata*), and coontail (*Ceratophyllum demersum*). The pond shoreline also exhibits growth of non-native common reed (*Phragmites australis*) which has been managed in the past.

² Estimates based on observed and reported conditions

5.0 IN-LAKE MANAGEMENT RECOMMENDATIONS

5.1 Program Overview:

Multiple-year approval is requested for the continuation of the successful Aquatic Management Program at Spy Pond. The goal of the management program is to control growth of invasive, non-native and other nuisance plant species to improve and maintain open water habitat, promote growth of less pervasive plant species and provide safe recreational access to the lake with the use of US EPA / MDAR registered aquatic herbicides or other Best Management Practices (BMPs). Based on the chemistry of the proposed products, along with the chemical dose, timing and method of application, these herbicides can be reasonably selective for the targeted plant species with a negligible risk to non-target organisms when used in accordance with their USEPA approved labels. These products, coupled with non-chemical options (when applicable and feasible), will provide Spy Pond with an integrated management program to successfully continue the progress that has been made through past years of management. The management program has been developed to be compatible with the goals of the property owners keeping in mind the regulatory responsibilities of the Arlington Conservation Commission and the MA DEP.

Specifically, we are requesting approval to use of Reward/Tribune (diquat), ProcellaCOR EC (florpyrauxifen-benzyl), Sonar (fluridone), AquaPro (glyphosate), and Clearcast (imazamox) herbicides to control growth of nuisance plants, as well as copper-based algaecides (i.e. CUSO₄, Captain, SeClear) and buffered alum to control phosphorus and algal blooms. Physical management techniques such as hand-harvesting, and diver-assisted suction harvesting (DASH) are requested as a non-chemical management technique to manage small areas of invasive species (when applicable).

The proposed products specifically affect the target plant (and algae) species to be controlled and have a negligible effect on the non-target species and wildlife when applied in accordance with the label directions. All chemicals are applied at or below suggested doses according to the product label. In addition, doses are based on plant types and densities so that a minimum amount of the chemicals are introduced into the lake.

No significant alteration to wetland resources areas will occur as a result of the proposed lake management program; instead the resource areas will be enhanced by controlling a non-native, invasive aquatic plant species and improving water quality.

5.2 Proposed Products

Florpyrauxifen-benzyl (ProcellaCOR EC - EPA # 67690-80 or equivalent)

ProcellaCOR (florpyrauxifen-benzyl) is a recently registered herbicide in Massachusetts and is an effective, selective, systemic herbicide on milfoil, hydrilla, and emergent species.

The herbicide will be applied to the area at or below the permissible label dose. Due to the limited contact-exposure time required for control of the target species, concentrations only need to be maintained for hours to several days to achieve management. Temporary water-use restrictions for ProcellaCOR include no non-agricultural irrigation to vegetation other than turf according to Table on product label (6 hours to 35 days) – at rates used in the Northeast, this restriction is typically 2-7 days and can be determined based on post-treatment herbicide residue sampling. There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management suggests that we close

the waterbody on the day of treatment. The shoreline of the waterbody will be posted with signs warning of these temporary water-use restrictions, prior to treatment.

The herbicide is quickly absorbed by the target vegetation and translocated within the plant. The mode of action of the herbicide causes impacted vegetation to lose structural integrity at growth nodes. Residual levels of the herbicide in treated water decline rapidly and reduction is due to the uptake by the targeted vegetation and degradation.

The use rates for ProcellaCOR is 200-400 times lower than older chemistry formulations, achieving a Reduced Risk Classification by the USEPA. Excellent selectivity and minimal impact to non-target species has been demonstrated with ProcellaCOR treatments that have been performed in the Northeast to date (approximately 100). Of the species reported in Spy Pond, the only plants that may show some impact following treatment is coontail (*Ceratophyllum demersum*). Coontail is typically not impacted by ProcellaCOR treatments except when using rates of 4+ PDUs/ac-ft.

Impacts Specific to the Wetlands Protection Act using Florpyrauxifen-benzyl

- Protection of public and private water supply – Neutral (no significant interaction)
- Protection of groundwater supply – Generally neutral (no interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Diquat (Reward - EPA # 100-1091 or equivalent)

The USEPA/MA registered herbicide diquat dibromide will be applied to the area at or below the permissible label dose. Reward is a widely used herbicide, applied to greater than 500 lakes and ponds annually, throughout the northeast, to control nuisance submersed aquatic plants. Diquat would be applied to control nuisance submersed plant growth at the application rate of 1.0-2.0 gal/acre, if necessary. Temporary water use restrictions for diquat are: 1) No drinking or cooking for 3 days. 2) No irrigation of turf for 3 days and of food crops for 5 days, and 3) No livestock watering for 1 day. There are no restrictions on swimming, boating, or fishing, but prudent herbicide/algaecide management suggests that we close the lake on the day of treatment. The shoreline of the lake will be posted with signs warning of these temporary water use restrictions, prior to treatment.

Diquat is translocated to some extent within the plant. Its rapid action tends to disrupt the leaf cuticle of plants and acts by interfering with photosynthesis. Upon contact with the soil, it is absorbed immediately and thereby biologically inactivated. Residual levels of diquat in treated water decline rapidly and their reduction is due to the uptake by the targeted vegetation and adsorption to suspended soil particles in the water or on the bottom mud. Photochemical degradation accounts for some loss under conditions of high sunlight and clear waters.

Impacts Specific to the Wetlands Protection Act using Diquat³

- Protection of public and private water supply – Benefit (water quality improvement)
- Protection of groundwater supply – Neutral no interaction as diquat is absorbed to soil particles
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the lake
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Glyphosate (AquaPro – EPA #62719-324-67690 or equivalent)

Glyphosate is a systemic herbicide that offers excellent long-term control of invasive emergent vegetation species such as Phragmites in Spy Pond. This herbicide is foliar active, which means its chemical ingredient is active only on contact with the plant. Therefore, this chemical must be applied to the dry leaves, upon which it is translocated down into the rhizomes of the plant. Glyphosate is absorbed by plant foliage and moves throughout plant tissues. Once inside the plant, glyphosate interrupts the plant's ability to produce a protein it needs to live; thereby, resulting in effective long-term control. For invasive emergent vegetation species, Common Reed, this chemical is applied in the late summer/fall when nutrients are transferred into the root system and mid to late July/ prior to seed formation, respectively.

Glyphosate will be applied at or below the recommended Federal/State concentration of 3 quarts/acre. This product will be placed into a mixing tank with a surfactant (Cide-kick; d'limonene and related isomers plus selected emulsifiers); this surfactant ensures adhesion to the foliar portions of the plant. This mixture will be diluted with fresh pond water. Application varies based on target species. All applications will be timed with calm weather when wind gusts are less than five miles per hour to ensure no herbicide drift effects surrounding beneficial flora. The treatment will also be timed to ensure that a rain event will not occur within eight hours of the treatment. This herbicide binds tightly to the soil and has no activity in surrounding water; therefore, there is low potential for leaching and contamination of groundwater. Furthermore, this herbicide is quickly broken down by microorganisms in the soil.

There are no water use restrictions associated with the use of glyphosate other than no-treatment within ¼ of a mile (1320-ft) of potable water intakes. Although there are no restrictions on swimming, boating or fishing, prudent use suggests that we close the pond on the day of treatment. The shoreline of the lake will be posted with signs warning of these temporary water uses restrictions, prior to treatment.

³ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 124 p.

Impacts Specific to the Wetlands Protection Act using Glyphosate⁴

- Protection of public and private water supply – Detriment (prohibition within one quarter mile of surface water supplies due to toxicity), but generally neutral where allowed
- Protection of groundwater supply – Neutral (no interaction)
- Flood control & Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the pond
- Protection of land containing shellfish – Neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Fluridone (Sonar – EPA # 67690-4 or equivalent)

Fluridone is a systemic herbicide that offers long-term control on invasive and nuisance aquatic vegetation in Spy Pond. This herbicide hinders the ability of susceptible plants to produce carotene which protects chlorophyll from photodegradation, which results in mortality and subsequent long-term control of the targeted species (i.e., directly impacts the standing population and prevents future spread). This process is known as chlorosis and may be observed visually as the plant begins to lose its green color and take on a white or pink shade. Fluridone requires an extended contact time (45-60) so it has historically been used for low-dose, whole-pond treatments where dilution and contact time are more predictable, however, new granular formulations do allow for more effective spot-treatment.

Fluridone when applied at recommended dosages is generally viewed as having one of the most environmentally friendly toxicology profiles of all products currently on the market. In fact, the US EPA has approved a limit of 150 ppb to be allowed in water used for drinking, which is also the maximum application rate for waterbodies 10 acres and larger, such Spy Pond. Ideally, fluridone treatments are initiated early in the growing season when target vegetation is low or starting emergence. Presently, liquid and granular formations of this herbicide are available and included under this management plan. For aqueous applications, this chemical will be placed into an onboard mixing tank, mixed with pond water and evenly distributed throughout the surface of the treatment area via boat. This herbicide will be injected under the water surface through trailing hoses, minimizing the chance of chemical drift and assuring accurate placement of over the target species. For granular applications, the herbicide will be placed into a Herd spreader mounted to the bow of the treatment vessel and evenly distributed over the surface of the treatment area. If used at Spy Pond, the target rate would likely be <20 ppb which is significantly below the maximum labeled rate.

Fluridone water use restrictions include no application within one-quarter mile of a potable water intake and no use of treated water for irrigation purposes within 30 days of application. Although there are no restrictions on swimming, boating or fishing, prudent use suggests that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water uses restrictions, prior to treatment.

⁴ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 128 p.

Impacts Specific to the Wetlands Protection Act using Fluridone⁵

- Protection of public and private water supply – Generally neutral, but may have detriment at high doses (prohibition within 0.25-mi. of drinking water intakes at doses >20 ppb)
- Protection of groundwater supply – Generally neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction)
- Protection of land containing shellfish - Generally neutral (no significant interaction)
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

Imazamox (Clearcast – EPA # 241-437-67690)

The USEPA/MA registered herbicide Imazamox will be applied to the area at or below the permissible label dose. It has been utilized to manage submersed, floating-leaf, and emergent vegetation. Imazamox would be applied foliarly to control invasive Phragmites or water chestnut growth at the application rate of 1.5 lbs ae/acre, if necessary. Temporary water use restrictions for Imazamox are: 1) No drinking or cooking until residue testing results are below 50 ppb, 2) No irrigation until concentrations are below 50 ppb. There are no restrictions on swimming, boating, fishing, watering of livestock, or domestic use, but prudent herbicide/algaecide management suggest that we close the pond on the day of treatment. The shoreline of the pond will be posted with signs warning of these temporary water use restrictions prior to treatment.

Imazamox is a systemic herbicide. When applied as a foliar spray, it is quickly absorbed by foliage and/or plant roots and rapidly translocated to the growing points stopping growth. The concentrated herbicide is diluted with pond water onboard the treatment vessel and applied to the water chestnut leaves floating on the water's surface via a low-volume pumping system. A spray adjuvant will be mixed with the diluted herbicide to improve efficacy.

Impacts Specific to the Wetlands Protection Act using Imazamox

- Protection of public and private water supply – Generally neutral, but may have detriment at high doses (setback of treatment required, with distance based on dose and area treated)
- Protection of groundwater supply – Neutral (no interaction as imazamox is absorbed to soil particles)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution – Generally neutral (no significant interaction), but could be a detriment if plant die-off causes low oxygen at the bottom of the pond
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, loss of cover)

⁵ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*. 2004. 133 p.

Copper-Based Algaecides

Approval for the use of a copper-based algaecide (i.e. CuSO₄, SeClear, Captain) is requested in the event that nuisance algae conditions develop, warranting treatment. Copper based algaecides are widely used and are applied to lakes and ponds throughout North America to control nuisance filamentous and microscopic algae. There are no water use restrictions associated with copper-based algaecides and Aquatic Control treats several direct, potable (drinking) water reservoirs and a number of recreation waterbodies in the Commonwealth with these algaecides, on a yearly basis. The concentrated liquid algaecides that are first diluted with lake water and then sprayed throughout the lake area. The application rate is generally 0.2 ppm or less for algae control. If applied, treatment will not exceed 50% of the lake volume.

Impacts Specific to the Wetlands Protection Act using Copper⁶

- Protection of public and private water supply – Benefit (used to control algae)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if algae/plant die-off causes low oxygen at the bottom of the lake or causes release of taste and odor compounds or toxins
- Protection of land containing shellfish - Generally neutral (no significant interaction), but reduced algae might reduce food resources for shellfish, and direct toxicity is possible under unusual circumstances.
- Protection of fisheries - Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)
- Protection of wildlife habitat – Possible benefit (habitat enhancement) and possible detriment (food source alteration, direct toxicity)

Buffered Alum

The goal of alum treatment is to strip the water column of phosphorus and inactivate the phosphorus in the bottom sediments. This is accomplished by applying an aluminum salt to the pond (aluminum sulfate) which reacts with the water to form an insoluble aluminum hydroxide solid (floc). This floc falls through the water column chemically and physically removing phosphorus and then settles to the bottom forming a “blanket”, which effectively inactivates the phosphorus in the sediment.

Once applied, the reaction of alum and water (especially soft water lakes) causes the water to become acidic (low pH). To counter this effect, a buffer solution of sodium aluminate is applied simultaneously along with the alum. At a volumetric ratio of typically 2 parts alum to 1 part sodium aluminate, the pH will remain near background throughout the treatment process. The use of sodium aluminate is preferred over other buffer solutions because it also contributes to the aluminum dose.

Proper herbicide application allows for targeted plant control without posing an unreasonable adverse risk to non-target species and wildlife. Written approval from the Commission will be sought should alternate products be considered in future years. All products proposed for use will be registered for aquatic use in Massachusetts.

⁶ Commonwealth of Massachusetts Executive Office of Environmental Affairs. *Practical Guide to Lake Management*: 2004. 122 p.

Hand-Harvesting/Diver-Assisted Suction Harvesting (DASH)

With this technique, a snorkeler or diver selectively pulls out unwanted plants by hand and either puts them in a collection bag or, in the case of DASH, feeds the plant material into a suction hose which then discharges onto a screen on the topside boat. The water is then allowed to run back into the lake and the screened material is put into bins for later disposal to an upland area. This is a highly selective technique, and a labor intensive one. Normally well suited to vigilant efforts to keep out invasive species that have not yet become established or after large-scale systemic herbicide treatment efforts, it can also be employed to clear small areas of plants in high-use locations. This technique is not well suited for large-scale efforts, especially when the target species or assemblage occurs in dense or expansive beds.

Suction harvesting is also used to augment hand harvesting, allowing for a higher rate of pulling in a targeted area, as the diver/snorkeler does not have to carry pulled plants to a disposal point. It is recommended for localized infestations. The effectiveness is limited to small areas, typically less than one-half acre. All harvesting will be conducted by certified SCUBA divers with experience identifying and managing the target species. Harvested material will be disposed of at an offsite facility.

Impacts Specific to the Wetlands Protection Act using Hand Harvesting

- Protection of public and private water supply – Neutral (no significant interaction)
- Protection of groundwater supply – Neutral (no significant interaction)
- Flood control - Neutral (no significant interaction)
- Storm damage prevention – Neutral (no significant interaction)
- Prevention of pollution - Generally neutral (no significant interaction), but could be a detriment if sediment disruption results in high turbidity
- Protection of land containing shellfish - Generally neutral (no significant interaction)
- Protection of fisheries – Generally neutral (no significant interaction)
- Protection of wildlife habitat – Generally neutral (no significant interaction), but may have benefit and detriment to different species

Chemical Descriptions

Detailed information on all the herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/lakes-ponds-more-pubs-generic.html>>

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**: <<http://www.mass.gov/agr/pesticides/water/Aquatic/Herbicides.htm>>
See Attachment D for additional information.

5.3 Monitoring:

Annual inspections, including detailed point-intercept surveys during the pre-and post-management period will be conducted in order to finalize the treatment areas and assess the growth phase of the target plant species. The post-management inspection and point-intercept survey will be conducted in order to assess the efficacy of the management efforts and any impacts on non-target species so future applications can be properly adjusted to minimize non-target impacts.

6.0 ALTERNATIVES ANALYSIS

Alternatives to the proposed Aquatic Plant Management Plan were considered. SOLitude Lake Management evaluated all available strategies for control of the nuisance aquatic species in Spy Pond. Findings and recommendations were based on direct experience and discussions found in the *Eutrophication and Aquatic Plant Management in Massachusetts Final Generic Environmental Impact Review* (FGEIR, EOEa 2004).

Bottom Weed Barriers: Not Recommended at this Time

Physical controls, such as the use of bottom weed barriers (i.e. Aquatic Weed Net or Palco) can be effective for small dense patches of nuisance vegetation, but are not cost effective or feasible for large areas. Weed barriers are expensive to install and maintain at ~\$1.75/ft² (material & installation). Semi-annual maintenance to retrieve, clean and re-deploy the barriers would be expensive and time consuming. Additionally, covering expansive areas of the lake bottom may also have detrimental impacts on invertebrates or other types of wildlife. This technique could possibly be employed in future years to control select small dense patches of regrowth between whole lake systemic treatments.

Hydro-Raking: Not Recommended at this Time

The mechanical Hydro-Rake can best be described as a “floating backhoe” with a York Rake attachment. The barge is paddle wheel driven to facilitate operation in shallow water (<2 feet) and it can effectively work to depths of about 12 feet. It works from the water, thereby avoiding damage to sensitive shoreline habitat and property. This machine “rakes” the upper sediment layer, collecting plants and their root systems. The Hydro-Rake is well suited for the removal of plants with large rhizome structures and in that case can provide multiple years of control. The target species for control at Spy Pond have comparatively small root structures, and as such, control is likely to be annual at best, with considerable temporary disturbance. The target species also reproduce through fragmentation, as well as by reproductive structures (or turions), or by seed, so mechanical removal is not typically recommended because of increased potential for fragmentation and accelerated spread.

Harvesting: Not Recommended

Harvesting invasive species like the ones present in Spy Pond is typically not recommended because of its ability to reproduce through vegetative fragmentation, leading to increased spread into previously un-infested areas or further intensifying growth rates. Additionally, harvesting would be costly and at best would only provide a season of relief from the target species. The disruption and non-target impacts would be more significant than with spot-treatments using aquatic herbicides.

Biological: Not Recommended

There are no effective biological controls available or approved by the State for the control of the invasive aquatic plant species present in Spy Pond.

Sediment Excavation/Dredging: Not Recommended at this Time

Dredging nutrient rich bottom sediment is sometimes used as a strategy to control excessive weed growth. Conventional (dry) or hydraulic dredging would require the expenditure of hundreds of thousands of dollars in design and permitting fees alone. Dredging may also have severe impacts to aquatic organisms (i.e. fish and macroinvertebrates) in the lake with no guarantees of elimination of invasive vegetation.

Do Nothing: Not Recommended

If the invasive plant growth is allowed to continue unabated, eutrophication and filling-in at the lake will continue to occur at an accelerated rate due to the annual decomposition of excessive plant material. Anoxic conditions would degrade water quality and potentially impact fish and other aquatic organisms. Stagnant conditions will also increase water temperatures promoting both algae and bacterial growth as well as providing extensive mosquito breeding habitat. The lake's recreational and aesthetic value has also been and would continue to be significantly degraded.

7.0 COMPLIANCE

Massachusetts Wetlands Protection Act:

The objective of this project is to control invasive species through use of US EPA / MDAR registered aquatic herbicides.

Controlling densities of native species will typically not adversely affect wildlife habitat and will not negatively impact other interests of the Massachusetts Wetlands Protection Act. No significant alteration to wetland resources areas will occur as a result of the proposed management program; instead the resource areas will be enhanced by controlling the nuisance plant growth. The proposed management activities are consistent with the guidelines in the following documents:

- Final Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts (June 2004)
- Guidance for Aquatic Plant Management in Lakes and Ponds: As it Relates to the Wetlands Protection Act (April 2004 – DEP Policy/SOP/Guideline # BRP/DWM/WW/G04-1)
- The Practical Guide to Lake Management in Massachusetts (2004)

DEP License To Apply Chemicals:

All chemical applications will be performed by Certified Applicators. The USEPA/MA registered aquatic herbicides will be applied at recommended label rates, in accordance with the "Order of Conditions" and DEP "License to Apply Chemicals" permits (BRP WM04). Prior to treatment the shoreline will be posted with signs, warning of all temporary water use restrictions prior to treatments. A site specific "License to Apply Chemicals" for the proposed treatment will be filed with Massachusetts DEP, Office of Watershed Management.

Massachusetts Environmental Policy Act:

The strategies proposed in this NOI are options approved under the Massachusetts Environmental Protection Act (MEPA) process that was approved in 2004 with the issuance of the FGEIR and the *Practical Guide to Lake and Pond Management in Massachusetts*. These approaches do not require individual MEPA review.

Massachusetts Endangered Species Act:

According to the most recent Natural Heritage maps provided by MA GIS, Spy Pond is located within areas designated as Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species (Figure 5) as determined by the Massachusetts Natural Heritage & Endangered Species Program (NHESP).

8.0 IMPACTS OF THE PROPOSED MANAGEMENT PLAN SPECIFIC TO THE WETLANDS PROTECTION ACT

Protection of public and private water supply – Spy Pond is not used directly as a drinking water supply. Aquatic herbicide treatment at the lake will not have any adverse impacts on the public or private water supply, when used in accordance with the project label and conditions of the MA DEP License to Apply Chemicals.

Protection of groundwater supply – According to available studies, there is no reason to believe that the groundwater supply will be adversely impacted by the application of the chemicals at the proposed rates to Spy Pond, when used in accordance with the project label. Contamination of groundwater by aquatic herbicides is limited by their low rate of application, rapid rate of degradation, and uptake by target plants. SLM's State licensed applicators take all necessary precautions when mixing and disposing of all chemical containers.

Flood control and storm damage prevention – No construction, dredging or alterations of the existing floodplain and storm damage prevention characteristics of the pond are proposed. However, in some instances, abundant and excessive aquatic plant growth can contribute to high water and flooding. Most commonly this occurs in the vicinity of waterbody outlets or water conveyance channels and structures. The unmanaged, annual growth and decomposition of abundant plant growth is also known to increase sediment deposition at an accelerated rate. Therefore, the application of aquatic herbicides may increase the capacity of the resource area over the long-term to provide flood protection.

Prevention of pollution – No degradation of water quality or increased pollution is expected by the application of the herbicides. The proposed herbicides are relatively slow acting in controlling the invasive vegetation. This results in a slow release of nutrients from the decaying plants, reducing the potential for increases in nutrients that can cause algae blooms. Removal of the excessive growth of aquatic vegetation will contribute to improved water circulation and a reduction in the potential for anoxic conditions. The post-treatment decrease in plant biomass will help to decrease the rate of eutrophication currently caused by the decomposing of excessive plant material.

Protection of fisheries and shellfisheries – Contiguous, dense beds of aquatic vegetation provide poor habitat for most species of fish. Dense plant cover frequently results in significant diurnal fluctuations in dissolved oxygen as well as oxygen depletion during certain times of the year. While temporary effects on some desirable submersed and floating-leafed species may occur following the application of an aquatic herbicide, non-target plants typically rebound quickly. Shoreline emergent plants will not be impacted following the use of aquatic herbicides.

Protection of wildlife and wildlife habitat – In general, excessive and abundant plant growth, especially non-native plants, provides poor wildlife habitat for fish and other wildlife. The proposed management plan is expected to help prevent further degradation of the waterbody through excessive weed growth

and improve the wildlife habitat value of the pond in the long-term. Maintaining a balance of open water and vegetated areas is intended.

ATTACHMENT C

Figures

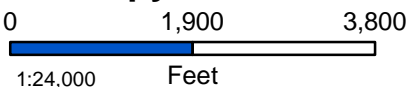
FIGURE 1: Site Locus



Spy Pond
Arlington, MA



Spy Pond



Map Date: 12/2/2020
Prepared by: ALM
Office: SHREWSBURY, MA

FIGURE 2: Natural Heritage and Endangered Species Program



Spy Pond
Arlington, MA



Spy Pond

0 1,900 3,800
1:24,000 Feet



Map Date: 12/2/2020
Prepared by: ALM
Office: SHREWSBURY, MA

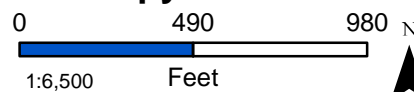
FIGURE 3: Distribution of Invasive Aquatic Species



Spy Pond
Arlington, MA



Spy Pond



Map Date: 08/07/2017
Prepared by: ALM
Office: 120 of 194
SHREWSBURY, MA

ATTACHMENT D

Herbicide/Algaecide Information

Detailed information herbicides proposed in this NOI can be found at the **Massachusetts Department of Conservation and Recreation, Lakes and Ponds Program website**. There are links under the Publications tab to the "Generic Environmental Impact Report for Eutrophication and Lake Management in Massachusetts" and the "Practical Guide to Lake Management in Massachusetts."

<<http://www.mass.gov/eea/agencies/dcr/water-res-protection/lakes-and-ponds/>>

Additional information on these herbicides can be found at the **Massachusetts Department of Agricultural Resources website**

<http://www.mass.gov/eea/agencies/agr/pesticides/aquatic-vegetation-management.html>

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91-258

- DEP
- file copy
- orig - J. Glavin
- ACT



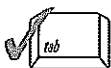
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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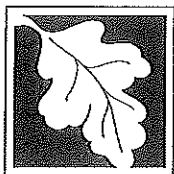
A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms
on the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Arlington
Conservation Commission
2. This issuance is for (check one):
a. ☒ Order of Conditions b. ☐ Amended Order of Conditions
3. To: Applicant:
Teresa DeBenedictis
a. First Name b. Last Name
Town of Arlington Public Works Dept
c. Organization
51 Grove St
d. Mailing Address
Arlington MA 02476
e. City/Town f. State g. Zip Code
4. Property Owner (if different from applicant):
Adam Chapdelaine
a. First Name b. Last Name
Manager, Town of Arlington
c. Organization
730 Massachusetts Ave
d. Mailing Address
Arlington MA 02476
e. City/Town f. State g. Zip Code
5. Project Location:
Spy Pond Arlington
a. Street Address b. City/Town
c. Assessors Map/Plat Number d. Parcel/Lot Number
Latitude and Longitude, if known: 42.407569d m s -71.155364d m s
d. Latitude e. Longitude



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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Middlesex

a. County

b. Certificate Number (if registered land)

c. Book

d. Page

7. Dates: 4/22/15 5/21/15 6/11/15
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
see attached list

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

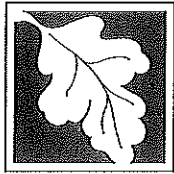
Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- | | | |
|--|--|---|
| a. <input type="checkbox"/> Public Water Supply | b. <input type="checkbox"/> Land Containing Shellfish | c. <input checked="" type="checkbox"/> Prevention of Pollution |
| d. <input type="checkbox"/> Private Water Supply | e. <input checked="" type="checkbox"/> Fisheries | f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat |
| g. <input type="checkbox"/> Groundwater Supply | h. <input checked="" type="checkbox"/> Storm Damage Prevention | i. <input checked="" type="checkbox"/> Flood Control |

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



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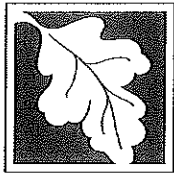
B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|---|--|--|---|---|
| 4. <input type="checkbox"/> Bank | <u> </u> a. linear feet | <u> </u> b. linear feet | <u> </u> c. linear feet | <u> </u> d. linear feet |
| 5. <input type="checkbox"/> Bordering Vegetated Wetland | <u> </u> a. square feet | <u> </u> b. square feet | <u> </u> c. square feet | <u> </u> d. square feet |
| 6. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways | <u>102 ac</u> a. square feet | <u>102 ac</u> b. square feet | <u>102 ac</u> c. square feet | <u>102 ac</u> d. square feet |
| | <u> </u> e. c/y dredged | <u> </u> f. c/y dredged | | |
| 7. <input type="checkbox"/> Bordering Land Subject to Flooding | <u> </u> a. square feet | <u> </u> b. square feet | <u> </u> c. square feet | <u> </u> d. square feet |
| Cubic Feet Flood Storage | <u> </u> e. cubic feet | <u> </u> f. cubic feet | <u> </u> g. cubic feet | <u> </u> h. cubic feet |
| 8. <input type="checkbox"/> Isolated Land Subject to Flooding | <u> </u> a. square feet | <u> </u> b. square feet | | |
| Cubic Feet Flood Storage | <u> </u> c. cubic feet | <u> </u> d. cubic feet | <u> </u> e. cubic feet | <u> </u> f. cubic feet |
| 9. <input type="checkbox"/> Riverfront Area | <u> </u> a. total sq. feet | <u> </u> b. total sq. feet | | |
| Sq ft within 100 ft | <u> </u> c. square feet | <u> </u> d. square feet | <u> </u> e. square feet | <u> </u> f. square feet |
| Sq ft between 100-200 ft | <u> </u> g. square feet | <u> </u> h. square feet | <u> </u> i. square feet | <u> </u> j. square feet |



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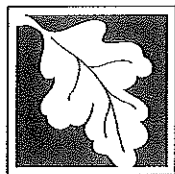
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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

| | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---|-------------------------|------------------------------------|------------------------------------|
| 10. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | | | |
| 11. <input type="checkbox"/> Land Under the Ocean | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 12. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes below | | | |
| 13. <input type="checkbox"/> Coastal Beaches | a. square feet | b. square feet | c. ^{cu yd} nourishment | d. ^{cu yd} nourishment |
| 14. <input type="checkbox"/> Coastal Dunes | a. square feet | b. square feet | c. ^{cu yd} nourishment | d. ^{cu yd} nourishment |
| 15. <input type="checkbox"/> Coastal Banks | a. linear feet | b. linear feet | | |
| 16. <input type="checkbox"/> Rocky Intertidal Shores | a. square feet | b. square feet | | |
| 17. <input type="checkbox"/> Salt Marshes | a. square feet | b. square feet | c. square feet | d. square feet |
| 18. <input type="checkbox"/> Land Under Salt Ponds | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 19. <input type="checkbox"/> Land Containing Shellfish | a. square feet | b. square feet | c. square feet | d. square feet |
| 20. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | | | |
| | a. c/y dredged | b. c/y dredged | | |
| 21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | a. square feet | b. square feet | | |



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B. Findings (cont.)

* #22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BWV) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement *:

a. square feet of BWV

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

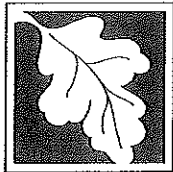
a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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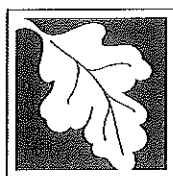
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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 91-258 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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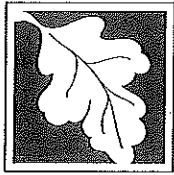
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) ☐ is subject to the Massachusetts Stormwater Standards
- (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

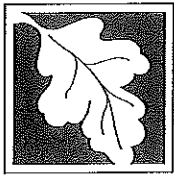
i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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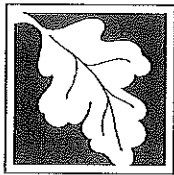
C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached 5 pages, conditions 20-40.

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

SPY WEEDS
6/11/15

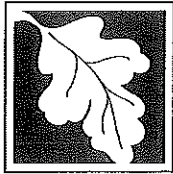
Provided by MassDEP:
91-258
MassDEP File #
eDEP Transaction #
Arlington
City/Town

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Arlington Conservation Commission hereby finds (check one that applies):
 - a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:
 1. Municipal Ordinance or Bylaw
 2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
 - b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:
 1. Municipal Ordinance or Bylaw Arlington Bylaw for Wetlands Protection
 2. Citation Title V, Art 8
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):
See attached 5 pages, conditions 20-40.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

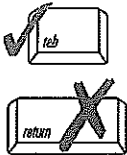
SPY WEEDS
6/11/15

Provided by MassDEP:
91-258
MassDEP File #

eDEP Transaction #
Arlington
City/Town

E. Signatures

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

6/11/15
1. Date of Issuance
SIX
2. Number of Signers

Signatures:

[Signature]
[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

☐ by hand delivery on

☐ by certified mail, return receipt requested, on

Date

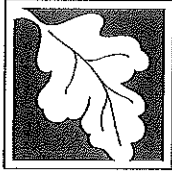
Date 6/11/15

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 -- Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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eDEP Transaction #
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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington Conservation Commission, 730 Massachusetts Ave, Arlington, MA 02476
Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington
Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Spy Pond 91-258
Project Location MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex
County Book Page

for: Property Owner

and has been noted in the chain of title of the affected property in:

Book Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

ARLINGTON CONSERVATION COMMISSION

ORDER OF CONDITIONS SPY POND
AQUATIC VEG. MANAGEMENT

SPY WEEDS
DEP FILE NO. 91-258
6/11/15

Referenced Documents

1. Notice of Intent application, Spy Pond Aquatic Management program, Arlington, MA, prepared for Teresa DeBenedictis, Town of Arlington, Public Works Department, 51 Grove St., Arlington, MA, 02476, prepared by Marc Bellaud, Aquatic Control Technology, LLC, 11 John Rd, Sutton, MA 01590, dated 4/22/15, containing:

- a. NOI Form - WPA Form 3, App. A: Ecological Restoration Limited Project Checklists
- b. NOI Wetland Fee Transmittal Form
- c. Att. A – Abutter Notification - Environmental Monitor, Affidavit of Service, Abutters Notice, Abutters Lists
- d. Att. B - Project Description
 - 1.0 Introduction
 - 2.0 Problem Statement
 - 3.0 Site Description
 - 4.0 Existing Conditions
 - 5.0 In-Lake Management Recommendations
 - 5.1 Program Overview
 - 5.2 Proposed Products
 - 5.3 Monitoring
 - 6.0 Alternatives Analysis
 - 7.0 Compliance
 - 8.0 Impacts of the Proposed Management Plan Specific to the Wetlands Protection Act
- e. Att. C – Figures
 - Figure 1: Site Locus
 - Figure 2: FEMA FIS Map
 - Figure 4: Vegetation Assemblage – June 2014
 - Figure 3: Pre-Treatment Vegetation Assemblage – April 2013
 - Figure 5: NHESP Habitat Locations
- f. Att. D – MA DCR Information on Eurasian Watermilfoil
- g. Att. E – Herbicide/Algaecide Information

Findings

(under the Wetlands Protection Act and Arlington Wetlands Bylaw)

Based on the testimony at the public hearings, and review of the application materials and the document listed below submitted during the public hearings, the Commission concludes that the proposed project will not have a significant or cumulative effect upon the interests of the Wetlands Protection Act or the resource area values of the Arlington Wetlands Bylaw. The Commission further finds that the project will improve the capacity of the resource areas at the project site to serve the interests of the Act and Bylaw, and therefore is eligible to be treated as a limited project under 310 CMR 10.53(4), and aquatic vegetation management will maintain the native plant community protected by the bylaw as significant, thus will improve the natural capacity of the area to provide

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wildlife habitat, water quality and improve habitat value in the Resource Area and Buffer Zone. The proposed work meets the performance standards of Section 24 D (4) of the Arlington Wetlands Bylaw Regulations.

The Commission maintains the view that the use of herbicides, algacides, and alum is a partial and temporary solution. The Commission requires that the Applicant continue to explore and pursue longer term, watershed-wide solutions to the invasive aquatic vegetation in Spy Pond which would obviate the need for chemical control.

In reaching its decision, the Commission relied heavily upon the "Eutrophication and Aquatic Plant Management in Massachusetts, Final General Environmental Impact Report (GEIR)" by the Executive Office of Environmental Affairs, 2004.

This Order applies to all areas and work that are in resource areas or the 100-foot Buffer Zone, or that add storm drainage to a discharge point in said resource area or Buffer Zone.

The Commission voted unanimously to approve the Notice of Intent under the Wetlands Protection Act, c.131, s.40 ("the Act") and Arlington Wetlands Bylaw subject to the following additional conditions contained herein.

Additional Special and/or Bylaw Conditions

20. Work permitted by this Order and Permit shall conform to the Notice of Intent, plans and oral presentations (as recorded in hearing minutes) submitted by the applicant and the applicant's agents or representatives, as well as any plans and other data submitted per these Conditions and approved by the Commission.

21. The applicant is permitted to use fluridone, copper, diquat, alum and glyphosate (with conditions, see below) in Spy Pond as necessary to control the growth of invasive aquatic plants and Phragmites. If any other products or methods are proposed and such changes are significant, the applicant may be required to file an Amended or a new Notice of Intent.

21. a. For application of glyphosate formulations such as AquaPro, the applicant will use a dilute solution of 1.5% glyphosate and apply only on a non-windy day (< 5 mi/h).

21. b. For application of glyphosate formulation, the applicant will assess the efficacy of hand-wiping small patches of Phragmites in order to keep the herbicide contained to the plant leaves and stem. If hand-wiping is not practical, the applicant will use a targeted back-pack sprayer to specifically target stands of Phragmites in order to minimize drift of the herbicide to other vegetation, aquatic biota in the pond, and the shoreline.

21.c. The EPA is currently reviewing the federal permit registration for glyphosate and this review is expected to be completed in 2015. The Commission may re-visit these Spy Pond permit conditions for glyphosate use if EPA findings conflict with this Order and Permit.

22. The provisions of this Order and Permit shall apply to and be binding upon the applicant and applicant's assigns, tenants, employees, contractors, or agents.

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23. No work shall be started under this Order until: (a) all other required permits or approvals have been obtained and (b) the appeal period of ten (10) business days from the date of issue of this Order has expired without any appeal being filed. No work shall be started under this Permit until all other necessary permits or approvals (**including the Natural Heritage program**) have been obtained.

24. The applicant shall comply with all requirements set forth by the Natural Heritage program to protect the state-listed rare species, Engelman's Umbrella-Sedge. If their requirements are stricter (more protective of the plant) than these conditions, they shall take precedence.

25. The applicant shall ensure that a copy of this Order of Conditions and Permit for work, with any referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand its provisions.

26. Prior to starting work, the applicant shall submit to the Commission the names and 24-hour phone numbers of project managers or the persons responsible for site work or mitigation.

27. No heavy equipment may be stored overnight within the 100-foot Buffer Zone. No refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone or within any Resource Area.

28. The Commission, its employees and its agents, with proper notification of the site supervisor, shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions and Permit.

29. The Applicant shall notify the Conservation Commission (to cbeckwith@town.arlington.ma.us) within 72 hours prior to each application of herbicide, algicide or alum.

30. The Applicant or its contractor/consultant shall post signs along the shoreline of the pond within 24 hours prior to each application of herbicide, algicide or alum. Such signs will be posted in a manner so as to sufficiently alert the public of any temporary water use restriction(s). Said signs shall be maintained for the period of the water use restriction or twenty-four (24) hours following application, whichever is longer.

31. No more than three weeks prior to any whole-pond treatments, the Applicant shall notify by hand delivery or first-class mail all abutters of the application and use restrictions, if any. At the same time, the applicant shall also forward this notice to:

- a) the Friends of Spy Pond Park (Karen Grossman, klgwoman@comcast.net)
- b) the Arlington listserve (www.arlingtonlist.org),
- c) the Arlington Boys and Girls Club (abgclub@abgclub.org)
- d) the Town's webpage (webmaster@town.arlington.ma.us)
- e) the Mystic River Watershed Association (contact@mysticriver.org).
- f) Spy Pond committee (Brad Barber, chair, bradb@shore.net)
- g) Arlington Land Trust (Jenn Ryan, director, info@arlingtonlandtrust.org)

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32. Application of all herbicides, algaecides or alum shall be administered by an applicator licensed by the Commonwealth of Massachusetts. A copy of the approved license shall be provided to the Conservation Commission prior to the initial application.

33. The rate of herbicide, algaecide or alum application shall be in accordance with this Order of Conditions and Permit, the Notice of Intent, the manufacturer's recommendations, and within applicable state guidelines, with the Notice of Intent and this Order of Conditions and Permit taking precedent.

34. Any temporary restriction of the pond water outflow to increase effectiveness of the herbicide or algaecide shall be monitored at a minimum of three (3) times per week during the treatment period by the Applicant to prevent excessive rise in water level and to prevent flooding.

35. The water level of Spy Pond may be lowered a maximum of approximately eight (8) inches as part of this project.

36. All precautions shall be taken to prevent spillage of any chemical, herbicide, algaecide or alum during application. Any such spillage shall be contained and cleaned-up immediately and fully, and shall be reported to the Conservation Commission and any other necessary local or state authorities.

37. Any equipment or vehicles shall not be stored at the site for more than seven (7) days prior to or seven (7) days after commencing each application.

38. Hand harvesting of aquatic weeds is allowed with this permit if the Commission is given prior notice and annual progress reports.

39. No later than 30 days after an approved treatment is applied to Spy Pond, the Applicant shall submit a report with the following information to the Conservation Commission (document sent to cbeckwith@town.arlington.ma.us):

1. What were the pond conditions at the time it was decided to apply the treatment;
2. What criteria were used to reach the decision to apply treatment;
3. Who was contacted and involved in making the decision to apply treatment;
4. What public notice was given prior to the treatment;
5. What precautions for public safety were taken on the day(s) of treatment;
6. What area(s) of the pond was treated;
7. What chemicals were used and in what quantity;
8. What public precautions were taken after treatment; and

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9. What was the effect of the treatment in resolving the identified problem(s).
40. When requesting a renewal or extension of this permit, the applicant must submit a report to the Conservation Commission (document sent to checkwith@town.arlington.ma.us) on the overall health of Spy Pond and any work in the watershed to improve the water quality.



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6300 | f: (508) 389-7890

MASS.GOV/MASSWILDLIFE

June 23, 2021

Arlington Conservation Commission

ATTN: Emily Sullivan

730 Mass Ave, Town Offices

Arlington, MA 02476

RE: Applicant: Arlington Conservation Commission
 Project Location: Spy Pond
 Project Description: Proposed herbicide application using Reward/Tribune (diquat), ProcellaCOR EC (florpyrauxifen-benzyl), Sonar (fluridone), AquaPro (glyphosate), and Clearcast (imazamox) to control growth of nuisance plants, as well as copper-based algaecides (i.e. CUSO₄, Captain, SeClear) and buffered alum to control phosphorus and algal blooms. Physical management techniques such as hand-harvesting, and diver-assisted suction harvesting (DASH) are requested as a non-chemical management technique to manage small areas of invasive species (when applicable).

MA DEP File No: 091-0330
NHESP Tracking No.: **08-24360**

Dear Commissioners:

The Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division") received a Notice of Intent with project description (Attachment B) in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59). The Applicant has also sought approval for work pursuant to the MA Endangered Species Act (M.G.L. c.131A) and its implementing regulations (321 CMR 10.00).

Based on a review of the information provided and the information currently contained in our database, the proposed application of herbicide occurs within mapped *Priority Habitat* for the Engelmann's Flatsedge (*Cyperus engelmannii*) a Threatened plant species. State-listed species and their habitats are protected in accordance with the MESA. Fact sheets for state-listed species can be found on our website, www.mass.gov/nhesp.

The Notice of Intent states that the project is intended to implement a plant management program to control submersed, non-native aquatic plant species, most notably Curly-leaf Pondweed (*Potamogeton crispus*), spiny naiad (*Najas minor*), and undesirable algae species. The project also stated the potential for targeting Eurasian Watermilfoil (*Myriophyllum spicatum*) which has been present in the past. The stated purpose of the project is to improve and maintain open water habitat, promote the growth of less pervasive plant species, and provide safe recreational access to the pond through an integrated management program. The Distribution of Spiny Naiad and Curly-leaf Pondweed are shown in Figure 3. Neither Eurasian watermilfoils nor curly-leaf pondweed are noted as being present in the ponds.

The purpose of the Division's review of the proposed project under the WPA regulations is to determine whether the project will have any adverse effects on the Resource Areas Habitats of state-listed species. The

MASSWILDLIFE

purpose of the Division's review under the MESA regulations is to determine whether a Take of state-listed species will result from the proposed project.

WETLANDS PROTECTION ACT (WPA)

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

This determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

Special Notes:

- No details were provided about the use of alum. Therefore, at this time, the Division is unable to provide the Commission with suggested conditions that would be protective of the Fisheries Interest of the Wetland Protection Act. Alum applications can result in stress and fish kills. We would recommend that the Commission require the Applicant to seek the Division's recommended conditions on any use of Alum.
- Spiny-Leaf Naiad (*Najas minor*). The Division has no records of this plant outside of Berkshire County. Prior to any treatment targeting this plant, we recommend that the Commission require the Applicant to have the identification of this plant confirmed by a qualified botanist to ensure proposed treatments targeting this plant are appropriate.

MA ENDANGERED SPECIES ACT (MESA)

A. Additional Information Required: Applications of Imazamox, Diquat, and Glyphosate to Water; Alum

This letter is to inform you that the Division has reviewed the materials submitted with your application and has **determined that additional information is required** in order for the Division to complete its review pursuant to 321 CMR 10.18 (MESA) and 310 CMR 10.59 (WPA). Based on publicly available data, these products are labelled to have direct action on *Cyperus* or other sedge species. To continue our review of the proposed use of these products, the Applicant shall submit:

- 1) **Submit an Analysis of Impact to Engelman's Flatsedge.** An analysis of each Imazamox, Diquat, and Glyphosate and its specific formulation on sedges, relevant to Engelman's Flatsedge. The analysis must include summarization of data available on species related to the state-listed species and address the specific amount, form and brand of products proposed for use in this application as compared to the literature sources.
- 2) **Submit a Plan to Avoid Impacts.** The Applicant may alternatively propose a plan to avoid impacts by application of these products when water elevations are either above, or 6" below, the habitat of the Engelman's Flatsedge. During the Division's review of the park improvements on the Pond, the City identified and marked water elevations in the pond associated with the Flatsedge that may be relevant. Alternatively, the City can propose a method to collect and mark water elevations. The upper elevation is roughly that of the shrubby border. The lower water elevation of the extent of habitat likely can only be documented during drawdown conditions.

- 3) **Alum.** A proposed Alum plan must be submitted including all existing and proposed conditions with calculations submitted in support of both the treatment and buffering plan. The plan must describe monitoring during and after the alum to ensure pH levels remain with the proposed target range. Plans must include the location and acres of treatment, proposed treatment target (mg/L), existing pH, buffering treatment plan (amounts, frequency of monitoring) and monitoring plan.

After receiving the above requested information, the Division will continue its review of this aspect of the proposed project for compliance with the MESA regulations. The Division reserves the right to request additional information to understand the potential impacts of the proposed project on state-listed species and their habitats. No use of the products specified above may be utilized in the Pond until the Division completes its review.

- B. Activities Approved Subject to Conditions: *Foliar* Applications of Imazamox, Diquat, and Glyphosate; ProcellaCOR EC (florpyrauxifen-benzyl), Sonar (fluridone), copper-based algaecides (CUSO₄, Captain, SeClear).

Based on the information provided and the information contained in our database, it is the opinion of the Division that a portion of this project, as currently proposed, **must be conditioned in order to avoid a prohibited Take of state-listed species (321 CMR 10.18(2)(a))**. The project must comply with the following conditions for the herbicide application:

- 4) **Submit an Annual Treatment Plan.** Annually, the Applicant must submit a written, annual treatment plan to the Division for review and written approval at least sixty (60) days prior to any treatment in the same year. The treatment plan shall include, at a minimum, a detailed map of the proposed treatment area and methods, calculated treatment acres by method (e.g., aquatic application, fog, spray, etc.), proposed date(s) of treatment(s), proposed herbicide product names and formulations, active ingredients, active ingredient target concentrations and calculated treatment concentrations. The plan shall also include a map, like Figure 3, showing the areas of proposed application.
- 5) **Direct Foliar Applications of Imazamox, Diquat or Glyphosate through painting, hand-wiping, or stem injection.** No special conditions are required. Such work may proceed, but with care to avoid trampling the low-lying state-listed plants if work is conducted from land.
- 6) **Indirect Foliar Applications of Imazamox, Diquat and Glyphosate (“Indirect Foliar Application”) through spraying, fogging, misting, wick applications, or the like.** Prior to any Indirect Foliar Application of the three listed active ingredients, a survey must be conducted by a qualified botanist to locate all Engelman’s Flatsedge in the proposed treatment area. The qualified botanist shall develop and submit to the Division proposed methods to avoid impacts from the treatments. These may include placing chemical resistant buckets over plants or groups of plants, plastic sheeting or similar methods. The Division must approve the protective measures in writing prior to any use of these products as described herein.
- 7) **Non-Aquatic Hand Harvesting.** Prior to any Hand Harvesting outside of wetland Resources Areas, a survey must be conducted by a qualified botanist to locate all Engelman’s Flatsedge in the proposed treatment area. The qualified botanist shall develop and submit to the Division proposed methods to avoid impacts from hand harvesting.

- 8) **DASH, ProcellaCor, Copper-based Algacides**– No conditions are required. Applications are subject to reporting in the required Annual Treatment Plan required in Condition #4.
- 9) **Authorization, 5 years.** With a Division-approved annual treatment plan submitted and approved and in compliance with all conditions herein, activities in Section B of this determination may occur for 5 years from the date of this determination. Thereafter, the Applicant must refile with the Division pursuant to the MESA.
- 10) **Wetland Protection Act Filings, Notice.** When filing for any renewal, extension, or amendment of the WPA Orders of Conditions the Applicant shall contact the Division for written response regarding impacts to Resource Area habitat of state-listed wildlife. A renewal, extension or amendment of Order of Conditions does not renew, extend, or amend this MESA authorization.
- 11) The Division may find that any future proposed management activity individually or in combination will result in a Take and may require a MESA CMP subject to 321 CMR 10.23. Therefore, we recommend that the Applicant contact our office in advance of each annual submission to ensure that proposals are developed to avoid a Take of state-listed species.

Provided the above-noted conditions relevant to MESA Section B are fully implemented and there are no changes to the Project Plans or the specified products, treatment may proceed. This approval for Work explicitly and exclusively applies to the activities and specific products and chemicals described herein. Any changes to the proposed project or any additional work beyond that shown on the Project Plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project. No application of the products in MESA Section A to water may be utilized in the Pond until the Division completes its review.

If you have any questions regarding this letter, please contact Misty-Anne Marold, Senior Endangered Species Review Biologist, at misty-anne.marold@mass.gov or 508-389-6356.

Sincerely,



Everose Schlüter, Ph.D.
Assistant Director

RE: Kara Sliwoski, Solitude Lake Management
MA DEP, Northeast Regional Office-Wetlands and Waterways
Alicia Geilen, MA DEP Circuit Rider, Northeast
Patricia Huckery, District Manager, MA DFW Northeast



Town of Arlington, Massachusetts

Request for Certificate of Compliance

Summary:

Request for Certificate of Compliance: 46 Spy Pond Parkway

MassDEP File #091-0300

Request to Continue to 08/05/2021

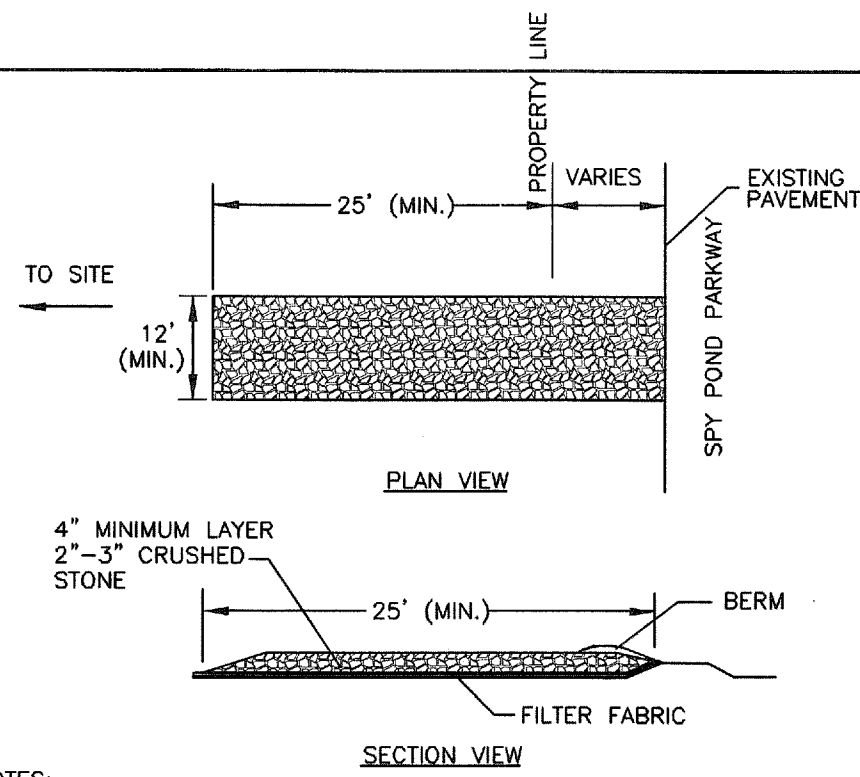
The project as approved proposed to raze and rebuild an existing single family home and add resource area improvements through a native vegetation buffer along Spy Pond and pervious paver driveway, 7:45pm walkways, and patio in the 100-ft wetlands buffer and AURA of Spy Pond. The project was approved on 11/20/2018.

ATTACHMENTS:

| Type | File Name | Description |
|-----------------------------|---|--------------------------------|
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_Plan_10232018.pdf | Parkway Proposed Plan |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_Planting_Plan_10202018.pdf | Parkway Proposed Planting Plan |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_Recorded_OOC_11292018.pdf | Parkway OOC |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_RCOC_Cover_Letter_08252020.PDF | Parkway Request for COC Letter |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_RCOC.pdf | Parkway Request for COC |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_As-Built.PDF | Parkway As Built |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_COC_Additional_Letter_02252021.pdf | Parkway RCOC Additional Letter |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_Grass_Replacement_for_Buffer_As_Built.pdf | Parkway Buffer As Built |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_As_Built_04292021.PDF | Parkway As Built_revised |
| Request for | | 46 Spy Pond |
| □ Certificate of Compliance | 46_Spy_Pond_Parkway_RCOC_Letter_04292021.PDF | Parkway RCOC Letter_revised |

GENERAL NOTES

- ELEVATIONS REFER TO MAD 83. BENCHMARK: PK NAIL SET IN UTILITY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
- THE LOCATIONS AND ELEVATIONS OF ALL EXISTING UTILITIES SHALL BE CONSIDERED APPROXIMATE AND MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ANY CROSSINGS OF PROPOSED AND EXISTING UTILITIES.
- MASSACHUSETTS STATE LAW REQUIRES UTILITY NOTIFICATION AT LEAST THREE BUSINESS DAYS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL DIG-SAFE AT 1-888-344-7233 IN ORDER TO COMPLY WITH STATE LAW.
- THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND 10/28/17, 7/25/18.
- ALL WORK SHALL BE SUBJECT TO THE INSPECTION BY AND APPROVAL OF THE TOWN ENGINEER & DPW.
- IN CASES WHERE LEDGE OR BOULDERS ARE ENCOUNTERED, EVERETT M. BROOKS CO. WILL NOT BE RESPONSIBLE FOR THE AMOUNT OF ROCK ENCOUNTERED.
- IF ANY PART OF THIS DESIGN IS TO BE ALTERED IN ANY WAY, THE DESIGN ENGINEER, AS WELL AS THE APPROVING AUTHORITIES, SHALL BE NOTIFIED IN WRITING BEFORE CONSTRUCTION.
- ALL OF THE ROOF RUNOFF FROM THE PROPOSED ROOF SURFACES INDICATED SHALL BE COLLECTED BY GUTTERS AND DIRECTED TO THE PROPOSED LEACHING GALLEYS.
- ALL TOPSOIL, SUBSOIL OR IMPERVIOUS SOIL MUST BE EXCAVATED AND REMOVED BELOW THE LEACHING GALLEYS AND TO A DISTANCE 5' LATERALLY IN ALL DIRECTIONS BEYOND THE SIDES OF THE GALLEYS. BACKFILL AS REQUIRED WITH A CLEAN GRANULAR SAND, FREE FROM ORGANIC MATTER AND DELETERIOUS SUBSTANCES. THE SAND SHALL HAVE A PERCOLATION RATE OF 2 MINUTES PER INCH OR FASTER.
- THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE DESIGN ENGINEER FOR INSPECTIONS OR AS-BUILT LOCATIONS. EVERETT M. BROOKS CO. WILL NOT PROVIDE AS-BUILT CERTIFICATION TO UNINSPECTED BACKFILLED UTILITIES. A MINIMUM OF 48 HOURS NOTICE IS REQUIRED PRIOR TO INSPECTIONS.
- ANY PROPOSED WALLS BY OTHERS.
- SOIL CONDITIONS AND GROUNDWATER ELEVATION SHALL BE EVALUATED AT THE TIME OF CONSTRUCTION. THE PROPOSED DRAINAGE SYSTEM SHALL BE MODIFIED, IF REQUIRED.

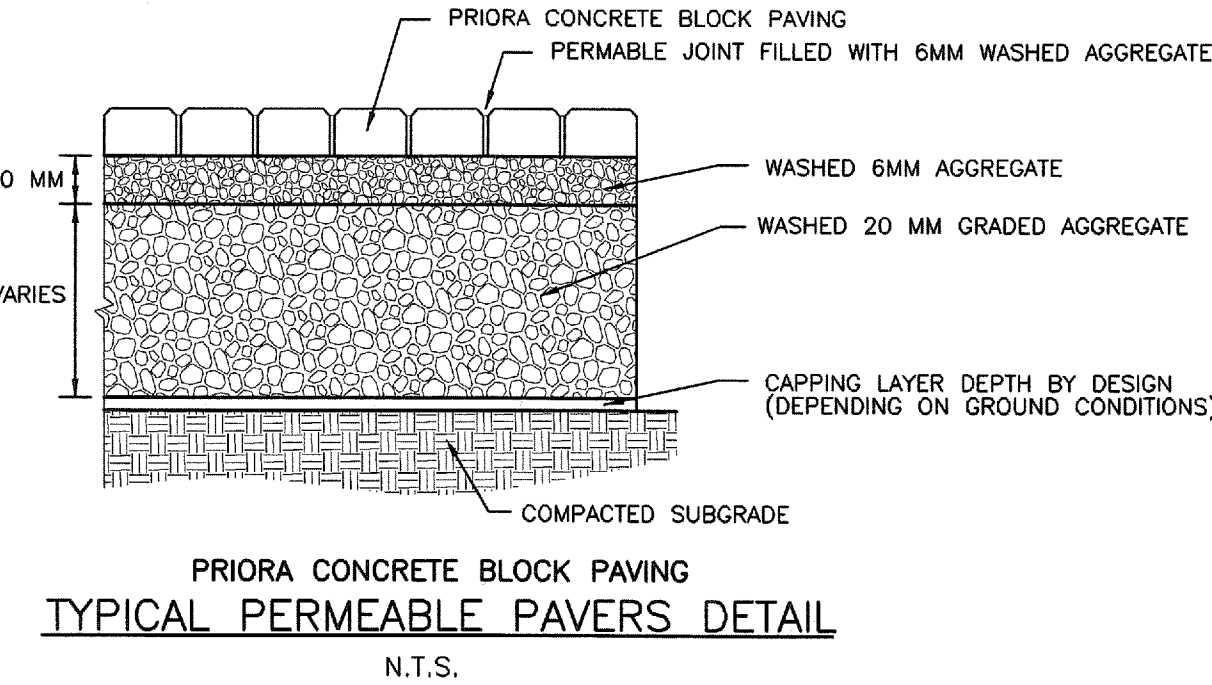


NOTES:

- ENTRANCE WIDTH SHALL BE A TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH SHALL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY. BERM SHALL BE PERMITTED. PERIODIC INSPECTION AND MAINTENANCE SHALL BE PROVIDED AS NEEDED.

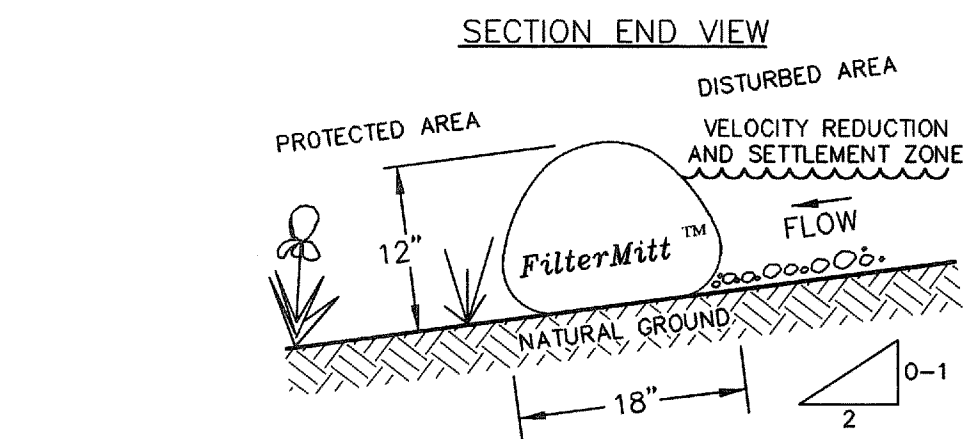
CONSTRUCTION ENTRANCE

N.T.S.

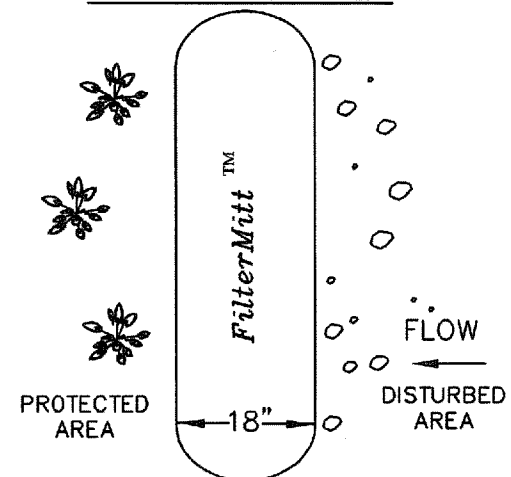


TYPICAL PERMEABLE PAVERS DETAIL

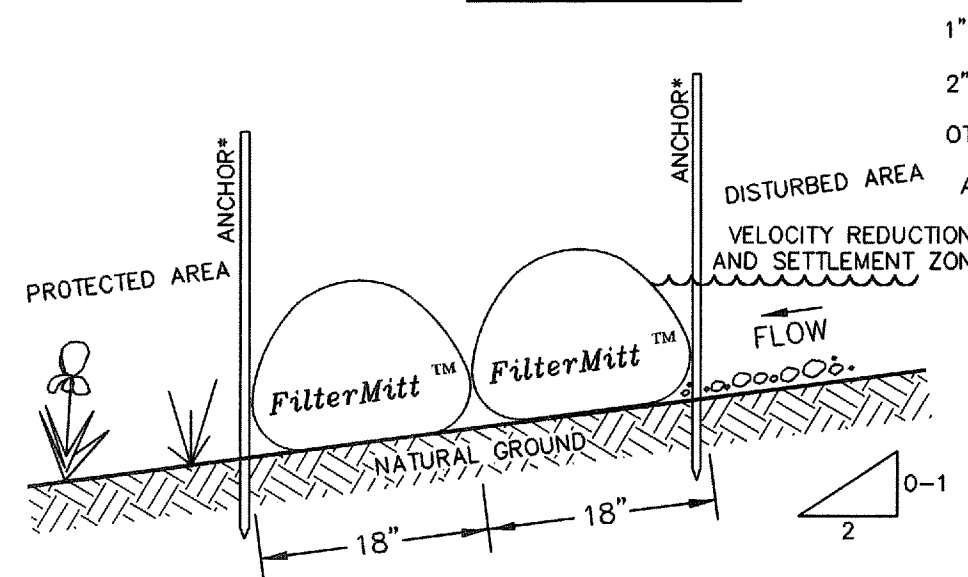
N.T.S.



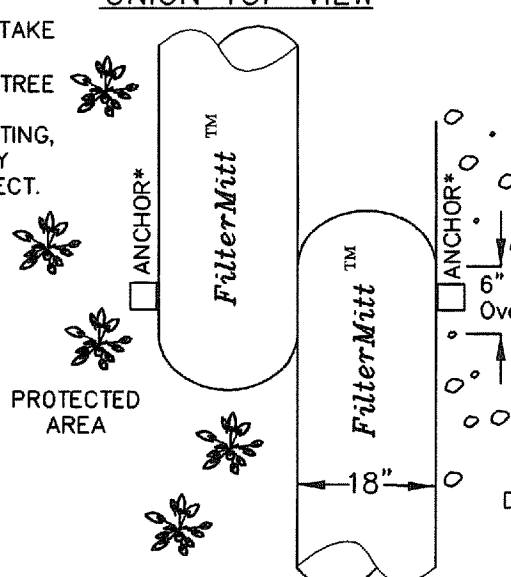
SECTION TOP VIEW



UNION END VIEW



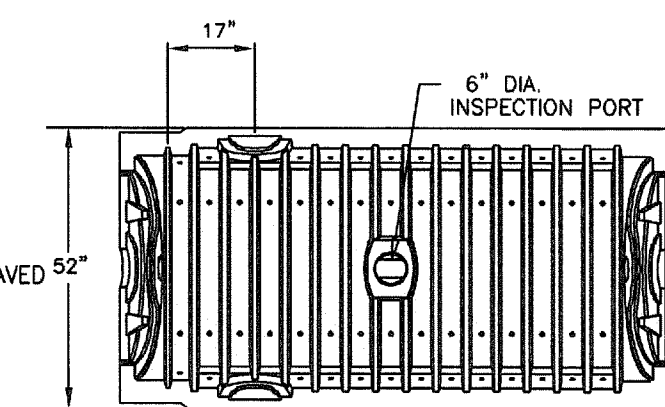
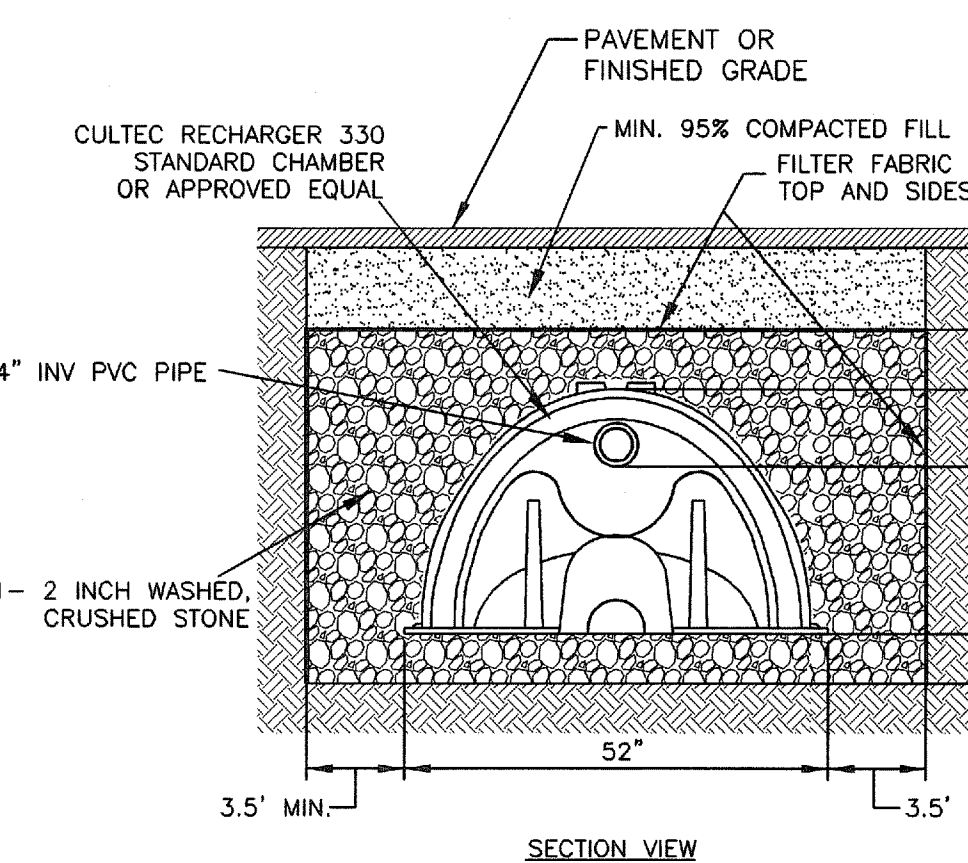
UNION TOP VIEW



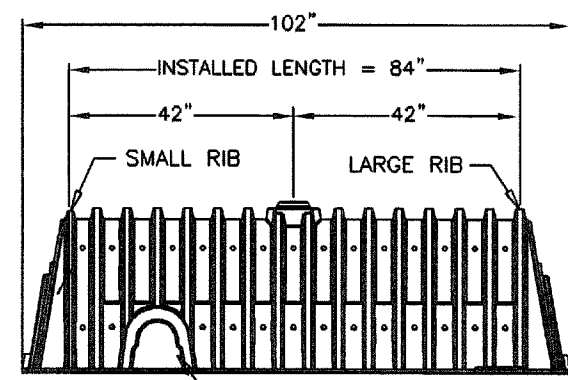
FilterMitt™ by Groundscapes Express, Inc.

2:1 SLOPES OR LESS SILTATION CONTROL DETAIL

N.T.S.



SINGLE - TOP VIEW

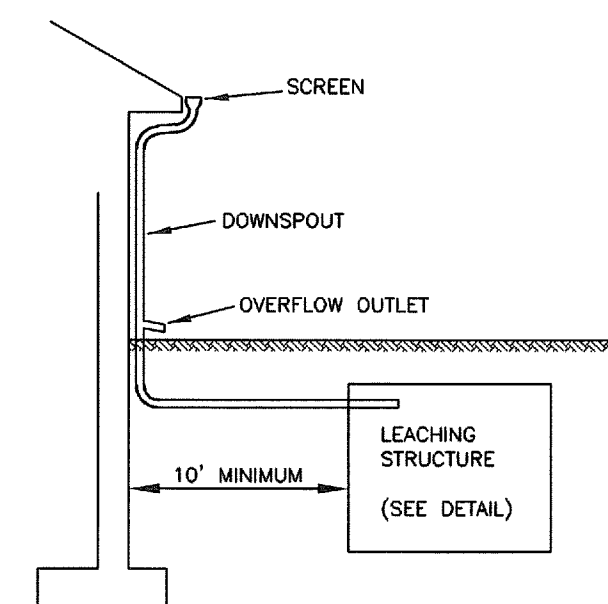


SINGLE - SIDE VIEW

TRAFFIC APPLICATION

CULTEC RECHARGER 330XL CHAMBER SYSTEM

N.T.S.



TYPICAL DOWNSPOUT DETAIL

N.T.S.

FilterMitt™ COMPONENTS:

- OUTSIDE CASING: 100% organic hessian.
FILLER INGREDIENT: *FiberRoot Mulch*™
• A blend of coarse and fine compost and shredded wood.
• Particle sizes: 100% passing a 3" screen; 90-100% passing a 1" screen; 70-100% passing a 0.75" screen; 30-75% passing a 0.25" screen.
• Weight: Approx. 850 lbs./cu.yd. (Ave. 30 lbs./l.f.)

For more information visit:
www.groundscapesexpress.com
or contact us at:
Groundscapes Express, Inc.
P.O. Box 737
Wrentham, MA 02093
(508) 384-7140

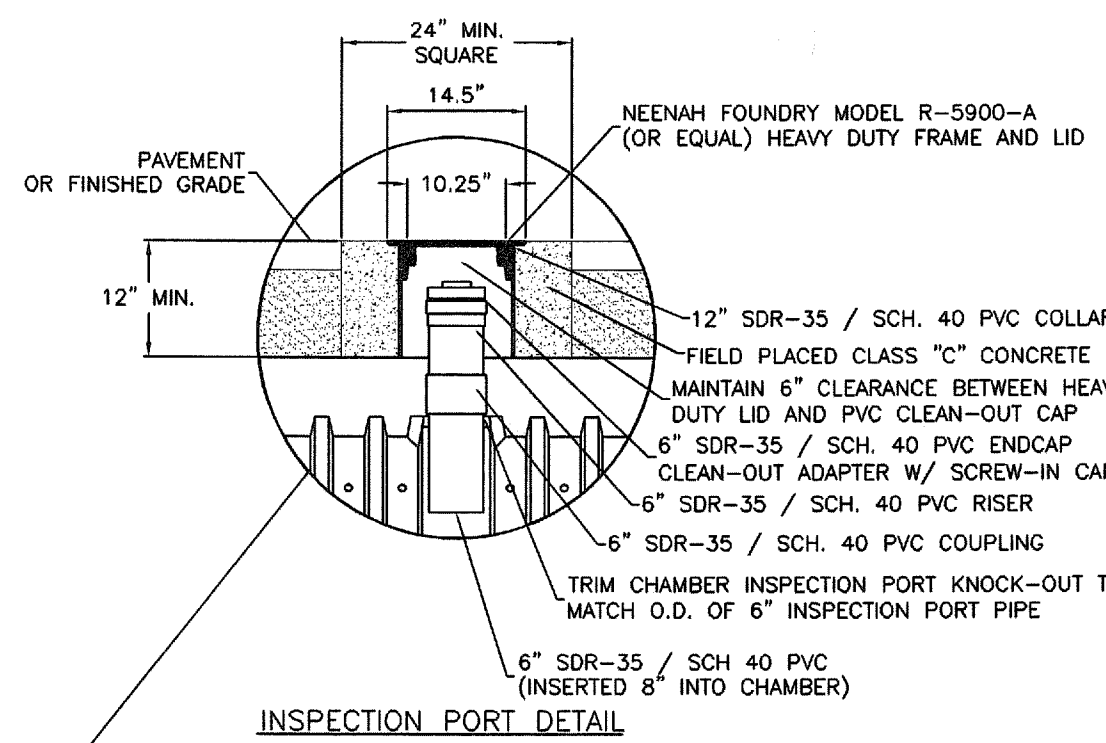
FilterMitt™ INSTALLATION:

With the newest technology and equipment, sections can be constructed on site in lengths from 1' to 100'.

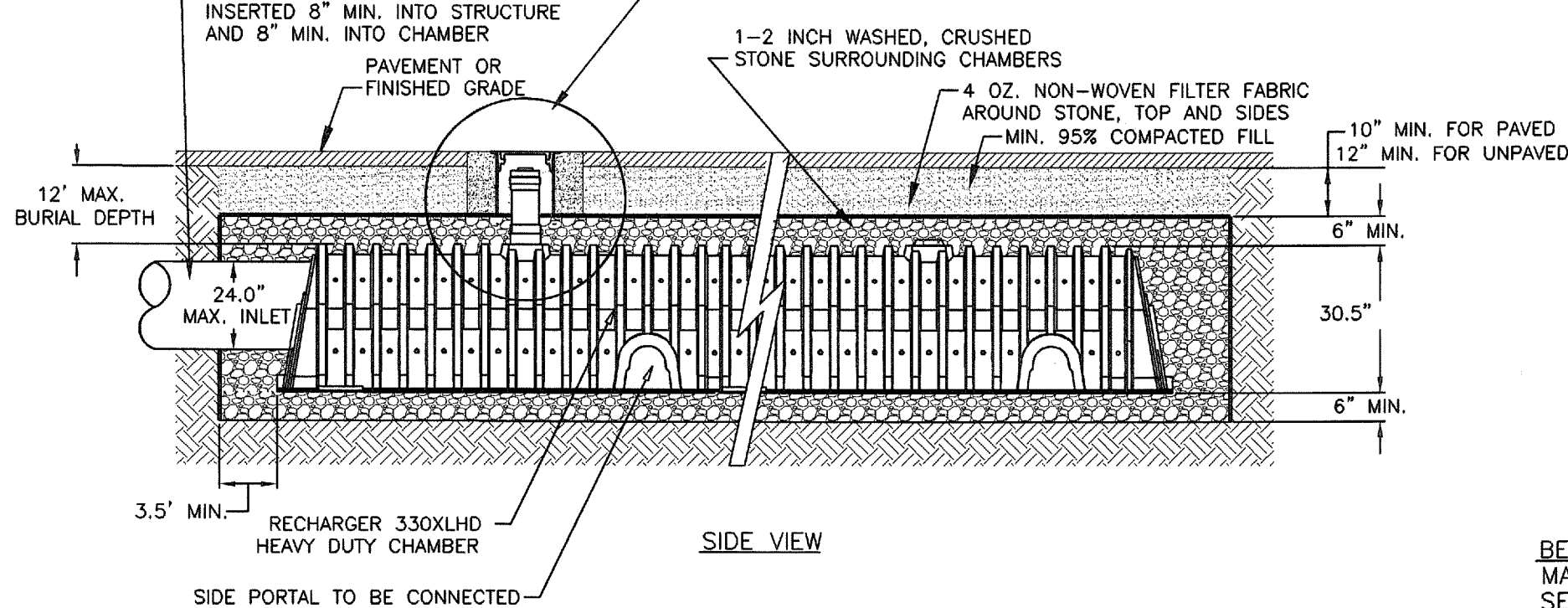
Sections can also be delivered to the site in lengths from 1' to 8'.

The flexibility of *FilterMitt*™ allows it to conform to any contour or terrain while holding a slightly oval shape at 12" high by 18" wide.

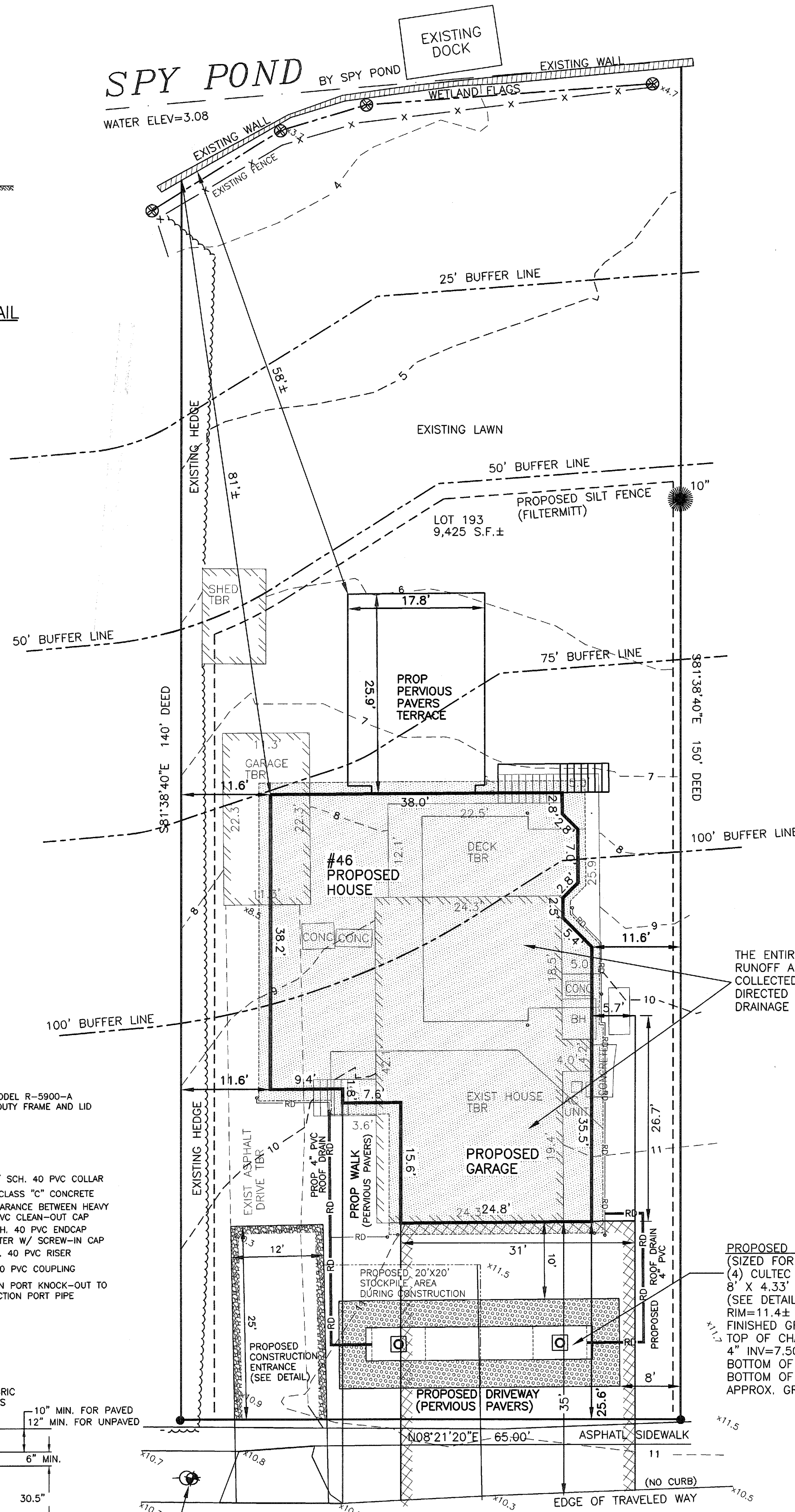
Where section ends meet, there shall be an overlap of 6" or greater. Both sides shall be anchored (oak stakes, trees, etc.) to stabilize the union.



INSPECTION PORT DETAIL



SIDE VIEW



THE ENTIRE PROPOSED ROOF RUNOFF AREA SHALL BE COLLECTED BY GUTTERS AND DIRECTED TO THE PROPOSED DRAINAGE SYSTEM.

PROPOSED DRAINAGE SYSTEM
(SIZED FOR THE 100-YR STORM)
(4) CULTEC RECHARGER 330XL CHAMBERS
8' X 4.33' W/ 3.5' STONE SURROUND
(SEE DETAIL)
RIM=11.4±
FINISHED GRADE=10.9±
TOP OF CHAMBERS=8.04
4\"/>

SPY POND PARKWAY (60' WIDE PUBLIC)

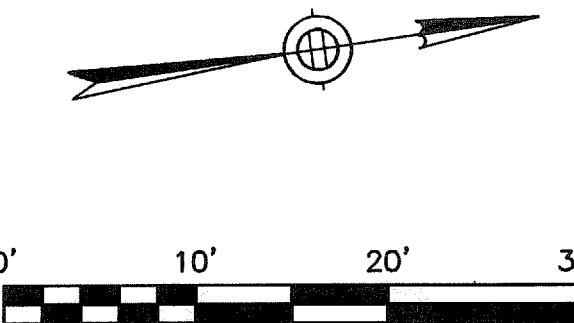
BENCHMARK
MAGNETIC NAIL
SET IN UTILITY POLE
ELEVATION 11.9
NAD83

ESTABLISHED 1916

EMB

EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465

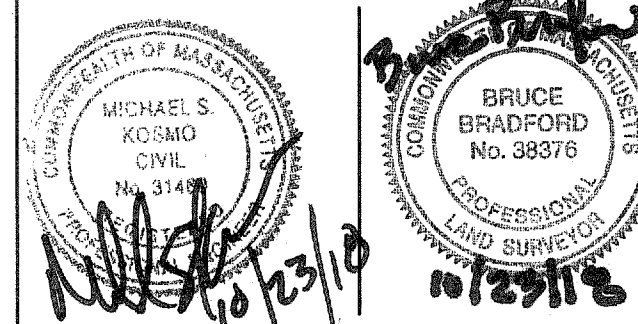
(617) 527-8750
info@everettbrooks.com



DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D

LEGEND

- UTILITY POLE
- WATER GATE
- HYDRANT
- GAS GATE
- SEWER MANHOLE
- DRAIN MANHOLE
- CATCH BASIN
- TREE
- LIGHT POLE
- SIGN
- TBR TO BE REMOVED
- TBA TO BE ABANDONED
- THM DEEP TEST HOLE
- PT#1 PERCOLATION TEST
- 71.4 X SPOT ELEVATION
- 71 PROPOSED CONTOUR
- 71- EXISTING CONTOUR
- D DRAIN LINE
- RD ROOF DRAIN
- FD FOUNDATION DRAIN
- W WATER LINE
- S SEWER LINE
- G GAS LINE
- OHW OVERHEAD WIRES
- X FENCE
- STONEWALL
- HEDGE
- TREE LINE



PLAN OF LAND IN ARLINGTON, MA

46 SPY POND PARKWAY
PROPOSED ADDITION

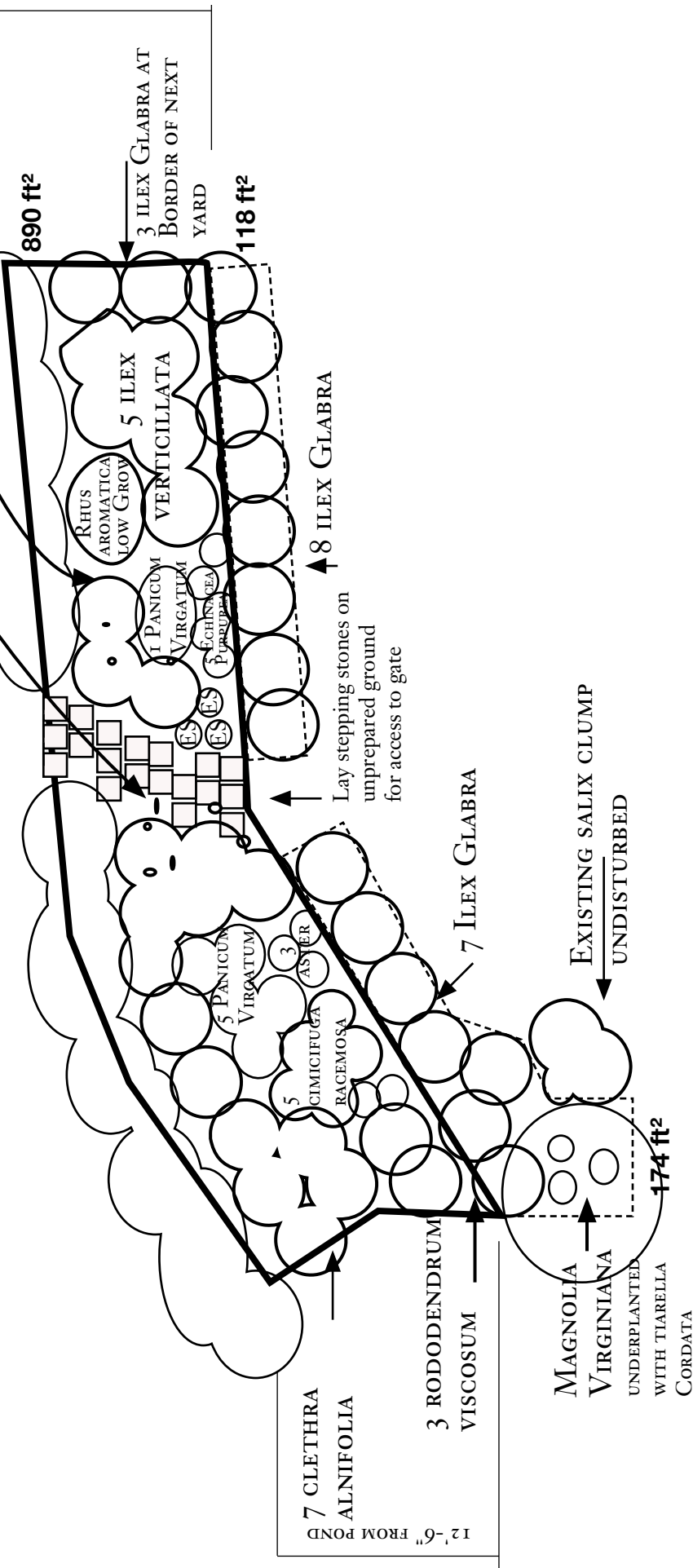
SCALE: 1 IN. = 10 FT.
DATE: SEPTEMBER 4, 2018
DRAWN: GA/ES
CHECK: BB & MSK

REVISIONS:
10/23/18 VARIOUS REVISIONS ES

PROJECT NO. 24816

13 MYRICA
PENSYLVANICA

EXISTING PLANTS AT WATER EDGE LEFT UNDISTURBED



NOTE:
The 12 foot buffer constitutes 890 sq.ft.
This leaves the existing clump of salix isolated in an awkward way so I have added the ilex band and the Magnolia. (dotted line) Combined they add 292 sq. ft.

Total planting area is therefore 1182 sq.ft.

PLANT LIST

- 13 Myrica Pensylvanica, Bayberry
- 1 Rhus Aramatica, sumac
- 5 Ilex Verticellata, Winterberry, 1 male +4 female
- 6 Panicum Virgatum, Switch Grass
- 3 Eragrostis Spec., Purple Love Grass
- 5 Echinacea Purpurea, Coneflower
- 3 Aster Nove Angliae, New England Aster
- 5 Cimicifuga Racemosa, Snakeroot
- 7 Clethra Alnifolia, Sweet Pepper Bush
- 3 Rododendron Viscosum, Swamp Azalea
- 7 Tiarella Cordata, Foamflower
- 18 Ilex Glabra, Ink Berry
- 1 Magnolia Virginiana

HOME OF SEAN AND MARIMAR GALVIN
46 SPY POND PARKWAY
ARLINGTON, MA

12' VEGETATION BUFFER PLANTING

OCTOBER 20, 2018

The office of MICHAEL J SCANLON

Interior Design Space Planning Architectural Detailing
28 Holyoke Street, Boston, MA 02116 Tel 617-894-9785
E-Mail mjs@mjscanlon.com

National Council for Interior Design Qualificationcert #12167



2018 01802528
Bk: 01478 Pg: 58 Cert#: 260345
Doc: ORD 11/29/2018 10:52 AM



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
091-0300
eDEP Transaction #
Arlington
City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Arlington
Conservation Commission
2. This issuance is for
(check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Sean
a. First Name Galvin
b. Last Name

c. Organization

d. Mailing Address
630 High Street, Medford

e. City/Town MA f. State 02155 g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

46 Spy Pond Parkway
a. Street Address Arlington
b. City/Town 104 193
c. Assessors Map/Plat Number 9-2
d. Parcel/Lot Number

Latitude and Longitude, if known: 42d24m18.108s 71d9m21.06s
d. Latitude e. Longitude

260345

MS



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
091-0300
eDEP Transaction #
Arlington
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Middlesex South

260345

a. County

b. Certificate Number (if registered land)

1478

58

Document #: 1709447

c. Book

d. Page

7. Dates: 7/19/2018 11/1/2018 11/20/2018
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Plan of Land in Arlington, MA

a. Plan Title

Everett M. Brooks Co.

Michael S. Kosmo (Engineer) 9/4/2018

b. Prepared By

c. Signed and Stamped by

10/23/2018

1"=20'

d. Final Revision Date

e. Scale

See attached

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☒ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution
d. ☐ Private Water Supply e. ☐ Fisheries f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
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eDEP Transaction #
Arlington
City/Town

B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 66.9
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

| Resource Area | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---------------------|----------------------|----------------------|-----------------------|
| 4. <input type="checkbox"/> Bank | a. linear feet | b. linear feet | c. linear feet | d. linear feet |
| 5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland | a. square feet | b. square feet | 12 c. square feet | 12 d. square feet |
| 6. <input type="checkbox"/> Land Under Waterbodies and Waterways | a. square feet | b. square feet | c. square feet | d. square feet |
| | e. c/y dredged | f. c/y dredged | | |
| 7. <input type="checkbox"/> Bordering Land Subject to Flooding | a. square feet | b. square feet | c. square feet | d. square feet |
| Cubic Feet Flood Storage | e. cubic feet | f. cubic feet | g. cubic feet | h. cubic feet |
| 8. <input type="checkbox"/> Isolated Land Subject to Flooding | a. square feet | b. square feet | | |
| Cubic Feet Flood Storage | c. cubic feet | d. cubic feet | e. cubic feet | f. cubic feet |
| 9. <input type="checkbox"/> Riverfront Area | a. total sq. feet | b. total sq. feet | | |
| Sq ft within 100 ft | c. square feet | d. square feet | e. square feet | f. square feet |
| Sq ft between 100-200 ft | g. square feet | h. square feet | i. square feet | j. square feet |



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
091-0300
eDEP Transaction #
Arlington
City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

| | Proposed Alteration | Permitted Alteration | Proposed Replacement | Permitted Replacement |
|--|---|-------------------------|------------------------------------|------------------------------------|
| 10. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | | | |
| 11. <input type="checkbox"/> Land Under the Ocean | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 12. <input type="checkbox"/> Barrier Beaches | Indicate size under Coastal Beaches and/or Coastal Dunes below | | | |
| 13. <input type="checkbox"/> Coastal Beaches | a. square feet | b. square feet | c. ^{cu yd} nourishment | d. ^{cu yd} nourishment |
| 14. <input type="checkbox"/> Coastal Dunes | a. square feet | b. square feet | c. ^{cu yd} nourishment | d. ^{cu yd} nourishment |
| 15. <input type="checkbox"/> Coastal Banks | a. linear feet | b. linear feet | | |
| 16. <input type="checkbox"/> Rocky Intertidal Shores | a. square feet | b. square feet | | |
| 17. <input type="checkbox"/> Salt Marshes | a. square feet | b. square feet | c. square feet | d. square feet |
| 18. <input type="checkbox"/> Land Under Salt Ponds | a. square feet | b. square feet | | |
| | c. c/y dredged | d. c/y dredged | | |
| 19. <input type="checkbox"/> Land Containing Shellfish | a. square feet | b. square feet | c. square feet | d. square feet |
| 20. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | | | |
| | a. c/y dredged | b. c/y dredged | | |
| 21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | a. square feet | b. square feet | | |
| 22. <input type="checkbox"/> Riverfront Area | a. total sq. feet | b. total sq. feet | | |
| Sq ft within 100 ft | c. square feet | d. square feet | e. square feet | f. square feet |
| Sq ft between 100-200 ft | g. square feet | h. square feet | i. square feet | j. square feet |



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

091-0300

eDEP Transaction #

Arlington

City/Town

B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BWV) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☒ Restoration/Enhancement *:

890

a. square feet of BWV

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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Arlington
City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" (or, "MassDEP")
"File Number 091-0300 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

091-0300

eDEP Transaction #

Arlington

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) ☐ is subject to the Massachusetts Stormwater Standards
- (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

091-0300

eDEP Transaction #

Arlington

City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
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WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

See attached Findings and Conditions

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☒ Yes ☐ No
2. The Arlington Conservation Commission hereby finds (check one that applies):

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☒ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

Arlington Bylaw for Wetlands Protection

Title V, Art 8

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

See attached Findings and Conditions



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #
091-0300
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Arlington
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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

[Handwritten signatures of three individuals]

[Handwritten signature]

☒ by hand delivery on

Date

11/20/2018

☐ by certified mail, return receipt requested, on

Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Arlington

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Arlington

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

46 Spy Pond Parkway

Project Location

091-0300

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex South

County

Book

Page

for:

Sean Galvin

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

DOCUMENTS REVIEWED

1. Notice of Intent for work at 46 Spy Pond Parkway, Arlington, MA, prepared by Goddard Consulting LLC, for the Applicant: Sean Galvin, dated July 16, 2018.
2. Wetland Border Report, prepared by Goddard Consulting LLC, dated July 24, 2018.
3. Square Footage Existing and Proposed Impermeable Area, prepared by Goddard Consulting LLC, amended March 2018, revised June 12, 2018, revised again October 12, 2018.
4. Existing Conditions Plan of 46 Spy Pond Parkway, prepared by Everett M. Brooks Co. and the Studio of Michael J Scanlon, stamped by Bruce Bradford, dated June 11, 2018, revised October 23, 2018.
5. Proposed Plan of 46 Spy Pond Parkway, prepared by Everett M. Brooks Co. and the Studio of Michael J Scanlon, stamped by Bruce Bradford, dated June 11, 2018, revised October 23, 2018.
6. Notations on Treatment of Landscape & Materials for Drive, Paths and Terrace, prepared by the Studio of Michael J Scanlon, dated June 30, 2018.
7. Detailed Plan of Land in Arlington, MA, prepared by Everett M. Brooks Co., stamped by Michael S. Kosmo (Civil) and Bruce Bradford (Land Surveyor), dated September 4, 2018, revised October 23, 2018.
8. Entire Proposed Roof Runoff Area and Drainage Analysis, prepared by Everett M. Brooks Co., stamped by Michael S Kosmos, dated September 4, 2018, revised September 27, 2018.
9. Alternatives Analysis, prepared by not listed, date not listed.
10. Climate Change Resilience Compliance, prepared by Goddard Consulting LLC, dated October 22, 2018.
11. Plan Showing Vegetated Buffer, prepared by Michael J Scanlon, dated October 20, 2018.
12. Existing Planting in the 100 Foot Buffer Plan, prepared by Michael J Scanlon, dated October 20, 2018.
13. Plan Showing 12 Foot Vegetation Buffer at Pond, prepared by Michael J Scanlon, dated October 20, 2018.
14. 12' Vegetation Buffer Planting Plan, prepared by Michael J Scanlon, dated October 20, 2018.

15. Letter from MassWildlife concerning proposed buffer planting, prepared by Mass Division of Fisheries & Wildlife, dated October 30, 2018.

PROCEDURAL SUMMARY

The Conservation Commission held a public hearing on the Notice of Intent on August 2, 2018. The hearing was continued several times at the request of the applicant. The Commission closed the hearing on November 1, 2018, and on November 15, 2018 deliberated and voted 7-0 to approve the Project with conditions under the Wetlands Protection Act (the "Act") and voted 7-0 to approve the Project with conditions under the Arlington Wetlands Protection Bylaw (the "Bylaw").

FINDINGS OF FACT AND LAW
UNDER ARLINGTON WETLANDS PROTECTION BYLAW
AND WETLANDS PROTECTION ACT

- A. The Project as approved involves the demolition and construction of a single family home on a parcel abutting Spy Pond. The new home will create a net increase of 144.25 square feet of impervious surface within the 100 foot wetland buffer/Adjacent Upland Resource Area. The project includes the construction of pervious-paved driveway, walkways, and backyard terrace. The project also includes the creation of a 890 square foot vegetated buffer toward the pond-end of the parcel near existing vegetation along the pond's bank. The project's drainage system captures the entire roof's runoff and infiltrates the water through a Cultec Recharger system.
- B. The parcel is approximately 9,425 square feet, located on Spy Pond, near the Spy Pond Parkway and Bay State Road intersection.
- C. The following Resource Areas are present on the site or within 100 feet of the lot lines: Bordering Vegetated Wetland ("BVW") and Adjacent Upland Resource Area ("AURA") (Bylaw) and Buffer Zone (Act) to Bank and BVW. The Commission finds accurate the delineation of Resource Areas shown on the approved Site Plan.
- D. The proposal also includes the construction of a native vegetated wetlands mitigation buffer.
- E. Based on the testimony at the public hearing, and review of the application materials and the documents listed above submitted during the public hearing, the Commission concludes that the proposed Project will not alter Resource Areas under the Act and Bylaw, the work as conditioned will not have significant or cumulative effects upon the interests of the Wetlands Protection Act or the Resource Area values of the Arlington Wetlands Bylaw when the conditions imposed are implemented to protect the Resource Area values. With the conditions contained herein, the Project meets the performance standards in the Bylaw Regulations and state Wetlands Regulations, 310 CMR 10.00.

Additional Special Conditions

In addition to the General Conditions (numbered 1 – 20 above), the Project is subject to the following Additional Special Conditions (under both the Act and Bylaw):

21. Work permitted by this Order and Permit shall conform to the Notice of Intent, the approved plans and documents (listed above), and oral representations (as recorded in hearing minutes) submitted or made by the Applicant and the Applicant's agents or representatives, as well as any plans and other data, information or representations submitted per these Conditions and approved by the Commission.
22. The provisions of this Order and Permit shall apply to and be binding upon the Applicant and Applicant's assignees, tenants, property management company, employees, contractors, and agents.
23. No work shall be started under this Order until: (a) all other required permits or approvals have been obtained and (b) the appeal period of ten (10) business days from the date of issue of this Order has expired without any appeal being filed and (c) this Order has been recorded in the Registry of Deeds. No work shall be started under this Permit until all other necessary permits or approvals have been obtained.
24. The Applicant shall ensure that a copy of this Order of Conditions and Permit for work, with any referenced plans, is available on site at all times, and that contractors, site managers, foremen, and sub-contractors understand its provisions.
25. Prior to starting work, the Applicant shall submit to the Commission the names and 24-hour phone numbers of project managers or the persons responsible for site work or mitigation.
26. Before work begins, erosion and sediment controls shall be installed at the limits of the work area. These will include a silt fence and 12 inch straw or silt wattle around the entire work area (haybales are not allowed and silt socks are preferred).
27. The contractor shall contact the Conservation Agent (concomm@town.arlington.ma.us ; 781-316-3012) to arrange for a pre-construction meeting with the on-site project manager to walk through the Order of Conditions, confirm the wash out location, and walk the site to confirm the installation and placement of erosion controls prior to the start of any grading or construction work.
28. The contractor shall provide written Notice of the work start date to the Conservation Agent 48 hours prior to start of work.
29. All dumpsters must be covered at the end of each work day, and no dumpsters will be allowed overnight within the 100 foot Buffer Zone or Adjacent Upland Resource Areas ("AURA") or other Resource Areas.
30. No uncovered stockpiling of materials shall be permitted overnight within 100 feet of any waterway or water body.

31. Areas that are disturbed by construction and access activities shall as soon as possible be brought to final grade and reseeded and restabilized, and shall be done so prior to the removal of the erosion control barrier.
32. Arrangements shall be made for any rinsing of tools, equipment, etc. associated with on-site mixing or use of concrete or other materials such that the waste water is disposed of in the concrete wash out station-at least 50 feet from the resource area. In no case may waste water be discharged into or onto Resource Areas on or adjacent to the site. In no case may waste water be placed in stormdrains. Any spillage of materials shall be cleaned up promptly.
33. Any dirt or debris spilled or tracked onto any paved streets shall be swept up and removed daily.
34. No heavy equipment may be stored overnight within 50 feet of the wetland and no refueling or maintenance of machinery shall be allowed within the 100-foot Buffer Zone, 200-foot Resource Area, and Adjacent Upland Resource Area or within any Resource Area.
35. Any dewatering operations shall conform to the following:
 - (a) Notify the Conservation Commission that dewatering is required.
 - (b) Any catch basins, drain and outfalls to be used in dewatering operations shall be cleaned out before operations begin.
 - (c) Any water discharged as part of any dewatering operation shall be passed through filters, on-site settling basins, settling tank trucks, or other devices to ensure that no observable sediments or pollutants are carried into any Resource Area, street, drain or adjacent property.
 - (d) Measures shall be taken to ensure that no erosion or scouring shall occur on public or private property, or on the banks or bottoms of water bodies, as a result of dewatering operations.
36. The Commission, its employees, and its agents shall have the right of entry onto the site to inspect for compliance with the terms of this Order of Conditions and Permit until a Certificate of Compliance has been issued.
37. When requesting a Certificate of Compliance for this Order of Conditions, the Applicant must submit a written statement from a Massachusetts professional engineer, registered land surveyor, or registered landscape architect certifying that the completed work complies with the plans referenced in this Order, or provide an as-built plan and statement describing any differences.
38. The existing driveway shall be used as the construction entrance. One (1) foot of crushed stone shall be placed in the construction entrance.
39. At least 21 days prior to commencement of work, a revised Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the pervious paver depth (currently listed as "variable") of the driveway, walkways, and terrace. A minimum installation depth of two (2) feet shall be constructed for all pervious pavement.

40. At least 21 days prior to commencement of work, A new Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the size of the backyard pervious terrace. The backyard pervious terrace shall be constructed as a 17' x 17', rather than 25.8' x 17.8' as listed on the plans. These terrace dimensions and perviousness shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.
41. Prior to plant installation, the Applicant shall submit planting plan details to the Conservation Commission for approval. Planting details shall include plant sizes, Latin names, regular names, number of plants, and transported method (containerized, balled-and-burlapped, etc.). All plantings shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.
42. To avoid adding excess nitrogen runoff into Spy Pond, the Applicant shall only treat the lawn with slow release nitrogen fertilizer. Application of this fertilizer cannot occur in the summer, or after storm events. Lawn fertilizer shall only be applied twice a year, in spring and fall. No herbicides shall be used to treat invasive or unwanted plants. New plantings shall only be fertilized once, during the initial planting year. No rodenticides shall be used to treat pest management issues. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.
43. The Applicant shall install permanent markers (granite posts, etc.) along the lawn-facing edge of the vegetated buffer to prevent disruption and destruction, such as mowing. Maintenance of said permanent markings shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.
44. Pervious surfaces shown on the project plans shall be maintained and not be replaced by impervious surfaces. This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

Doc 01802528

①

Southern Middlesex Land Court
Registry District

RECEIVED FOR REGISTRATION

On: Nov 29, 2018 at 10:52A

Document Fee 75.00

Receipt Total: \$75.00

NOTED ON: CERT 260345 BK 01478 PG 58

ALSO NOTED ON:

EVERETT M.

BROOKS

COMPANY

August 25, 2020

Sean Galvin
46 Spy Pond Parkway
Arlington, MA

RE: 46 Spy Pond Parkway, DEP File # 091-0300

Dear Mr. Galvin

Enclosed please find one (1) print of the plan entitled "Plan of Land in Arlington, MA 46 Spy Pond Parkway As-Built", dated June 29, 2020, revised 8/13/20..

This office completed an as-built survey and site inspections of the project site between June 2020 and August 2020. We find that the enclosed plan differs from the Order of Conditions and the approved site plan dated September 4, 2018, revised 10/23/20, as follows:

1. The planting area adjacent to Spy Pond is 742 S.F., a reduction from the proposed 890 S.F. planting area.
2. The backyard terrace was constructed at 25.8' x 17.8' as shown on the referenced site plan not at 17' x 17' as noted in Condition 40 of the Order of Conditions.
3. A larger basement access was constructed at the rear of the house. The paver access terrace is 75 S.F. with 36 S.F. of an added wall and steps, an increase from the proposed 50 S.F. access.
4. The impervious area within the 100 Buffer Zone is 990 S.F., an increase from the proposed area of 771 S.F.
5. Note that Condition 41 will need to be addressed by the Landscape Architect.

If you have any questions regarding this project, please feel free to call our office.

Very truly yours,

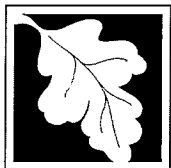
EVERETT M. BROOKS COMPANY



Michael S. Kosmo, P. E.

SURVEYORS & ENGINEERS

49 Lexington Street West Newton, MA 02465 (617) 527-8750 Fax: (617) 332-1578 www.everettbrooks.com



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

091-0300

Provided by DEP

A. Project Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Sean D. Galvin and Marimar Galvin

Name

46 Spy Pond Parkway

Mailing Address

Arlington

MA

02474

City/Town

State

Zip Code

781-640-6865

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Sean Galvin

Applicant

November 20, 2018

091-0300

Dated

DEP File Number

3. The project site is located at:

46 Spy Pond Parkway

Arlington

Street Address

City/Town

18

9-2 (Lot 193)

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Sean Galvin

Property Owner (if different)

Middlesex

1478

58

County

Book

Page

260345

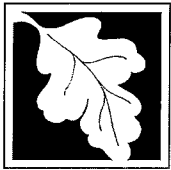
Certificate (if registered land)

5. This request is for certification that (check one):

☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

091-0300

Provided by DEP

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

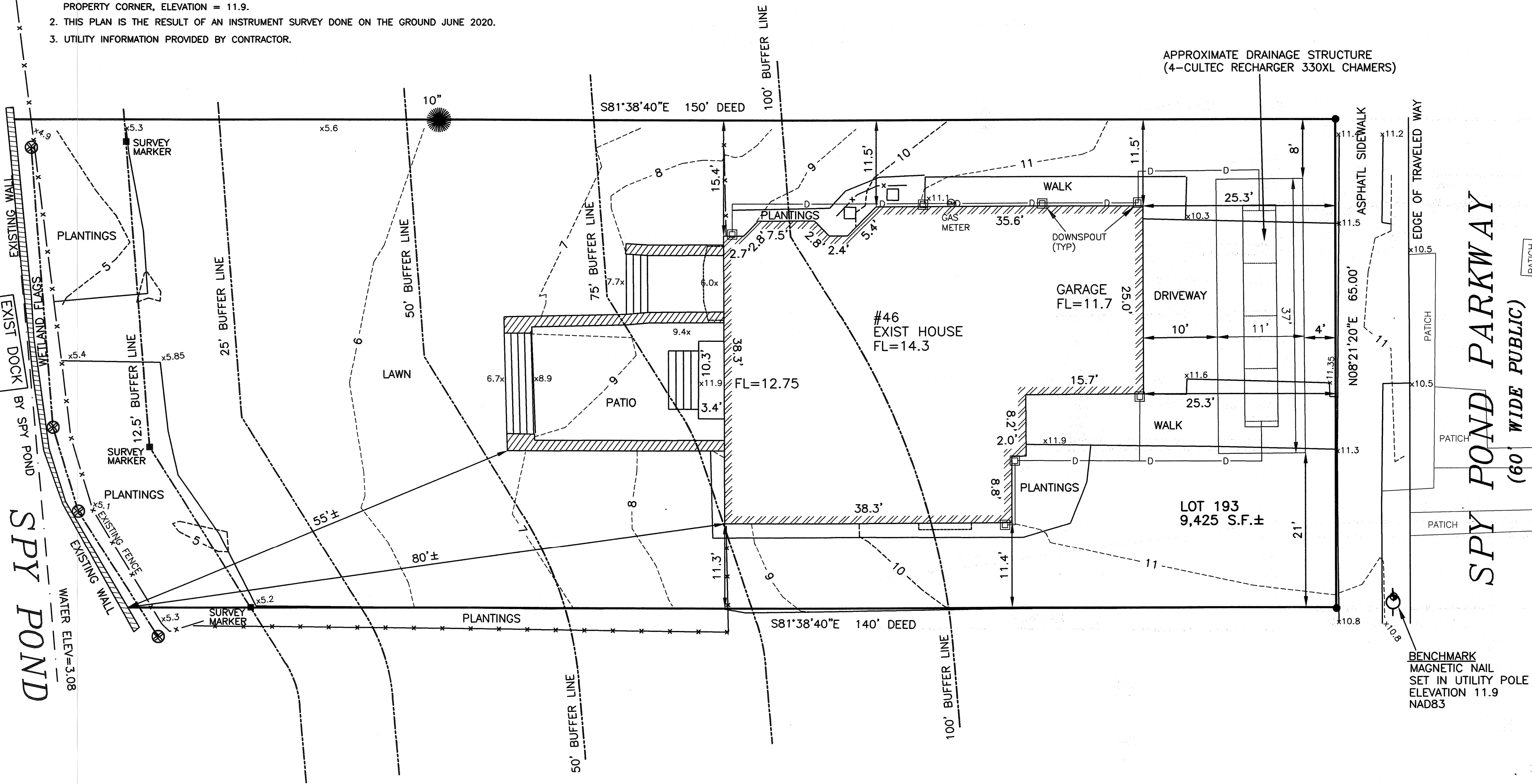
☐ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

GENERAL NOTES

1. ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILITY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
2. THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND JUNE 2020.
3. UTILITY INFORMATION PROVIDED BY CONTRACTOR.





February 25, 2021

Arlington Conservation Commission
Arlington Town Hall
730 Massachusetts Avenue Annex
Arlington, Massachusetts 02476
Attention: Emily Sullivan, Administrator

RE: 46 Spy Pond Parkway, Arlington, MA
DEP Number: 091-0300

Dear Ms. Sullivan:

As you are aware, this office represents the owners Sean D. Galvin and Marimar Galvin relating to the outstanding Order of Conditions for the above-referenced property. On or about July 7, 2020, a Request for Certificate of Compliance was filed along with As Built Plans. As a result of said filing, the Commission had a few outstanding questions and concerns.

The purpose of this letter is to address the Commission's questions and concerns and also request to be placed on the agenda for your next public meeting so that we can address this matter.

It is our understanding that the outstanding questions and concerns cover a few of the Conditions, specifically:

Condition 39. At least 21 days prior to commencement of work, a revised Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the pervious paver depth (currently listed as "variable") of the driveway, walkways, and terrace. A minimum installation depth of two (2) feet shall be constructed for all pervious pavement.

Condition 40. At least 21 days prior to commencement of work, A new Detailed Plan of Development shall be submitted by the Applicant and approved by the Conservation Commission clarifying the size of the backyard pervious terrace. The backyard pervious terrace shall be constructed as a 17' x 17', rather than 25.8' x 17.8' as listed on the plans. These terrace

dimensions and perviousness shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

Condition 41. Prior to plant installation, the Applicant shall submit planting plan details to the Conservation Commission for approval. Planting details shall include plant sizes, Latin names, regular names, number of plants, and transported method (containerized, balled-and-burlapped, etc.). All plantings shall be native and be installed and maintained according to the standards of the American Association of Nurserymen (AAN). This shall be a continuing condition that survives the expiration of the permit and shall be included in any Certificate of Compliance as a continuing condition.

As we would like to discuss these matters in more detail at the public hearing, our brief response to each are as follows:

Condition 39. It is admitted that in ignorance, the Owners believed that the engineer, Everett Brooks, was reporting back to the Commission and that any issues would have been brought up at that time of installation. In addition, the Owners believed that the inspection by Ms. Sullivan at the time of construction was sufficient enough to fulfill this condition. However, the Owners can confirm that the installation of the pavers was done in accordance to the instructions as attached hereto. In addition, it is very noticeable from the grade of the back terrace that enough crushed stone was placed below the terrace to allow the pavers to infiltrate accordingly as designed.

Condition 40. When excavation to construct the house and back terrace began, the water table was much higher than expected. As a result, the back terrace had to be higher than what was originally proposed. In an effort to keep the stairs at a reasonable steepness as a result of the increase in height, the terrace had to be elongated in order to allow this. As a result of the increased height of the terrace, impervious area increased from the proposed 771 square feet to 990 square feet which is due to the increased stairway and wall only.

Condition 41. See attached updated planting plan showing all plantings installed on the property which should satisfy the Commission.

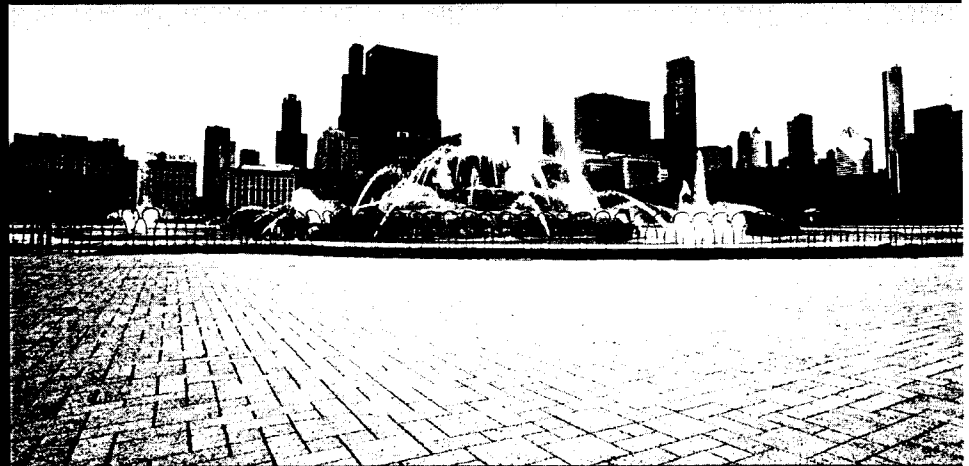
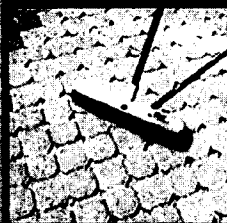
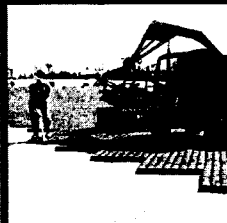
Please feel free to contact me with any additional questions or concerns with this matter and we look forward to discussing the particulars with you at your next public hearing.

Respectfully submitted,

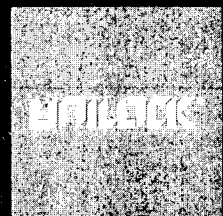

James A. Juliano

JAJ/abm

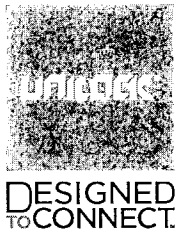
Enclosures



PERMEABLE PAVER MAINTENANCE GUIDE



DESIGNED
TO CONNECT.



This guide is specific to Unilock® permeable pavers as a maintainable system for storm water runoff and does not cover cleaning concrete pavers themselves. Please see the Unilock Product Care and Maintenance Guide (available for download at www.unilock.com) for information on cleaning concrete pavers. The maintenance information in this guide is intended for Unilock permeable paver systems only and not for other types of permeable pavers or pervious systems.

Maintenance is necessary for any type of permeable pavement system, much like any impervious pavement with catch basins and underground infrastructure. Over the lifetime of the permeable paver system there will be a need to clean any sediment, soil, dirt and debris from the joint aggregate material to maintain a sufficient infiltration rate. Every project will vary in performance needs, as well as to the frequency in which the joint material must be cleaned. The surface infiltration rate must be greater than the regional 100 year rainfall intensity to adequately ensure no runoff is generated, which is only one goal for using permeable pavers. Unilock® suggests establishing a maintenance plan using the techniques in this document to prevent clogging.

| | |
|---|----|
| Preceding Maintenance | 4 |
| Examples of Common Maintenance Issues | 4 |
| Maintenance Types | 5 |
| Maintenance Equipment | 6 |
| Strategic Procedures for Maintaining Infiltration | 8 |
| Recommended Seasonal Maintenance Schedule | 9 |
| Winter Maintenance and De-icing | 10 |

PRECEDING MAINTENANCE

Before providing maintenance on permeable paver systems, proper installation and protection during construction is required. Here are a few conditions to observe, require and prevent for establishing a successful system:

1. Verify correct installation and materials:

- Hire contractors with knowledgeable experience installing permeable pavers.
- Review and approve all sub-base, base and joint aggregate materials.
- Do not allow sand and dense-graded aggregates.

2. Prevent construction damage:

- Limit subgrade soil compaction when infiltration is necessary.
- Restrict vehicles with muddy tires from driving over newly placed pavers.
- Do not mix aggregate materials.

3. Refill joint material:

- Once, between 3 and 6 months after initial installation.
- Repeat as needed - approximately every 5-10 years.

4. Avoid stockpiling of materials such as:

- Topsoil.
- Mulch.

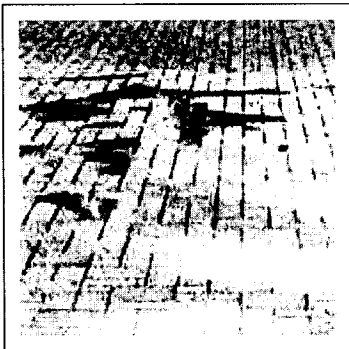
The proper materials and installation execution can be found in the Unilock specifications for permeable pavers. Both residential and commercial projects will utilize the same base, setting bed and joint aggregates. Some projects may not require sub-base materials, underdrainage or geotextile. It is not necessary to separate the setting bed from the base aggregates with a geotextile.

EXAMPLES OF COMMON MAINTENANCE ISSUES

Below are several warning signs and visual clues of common maintenance issues which must be prevented and addressed or remediated to ensure continued surface infiltration.

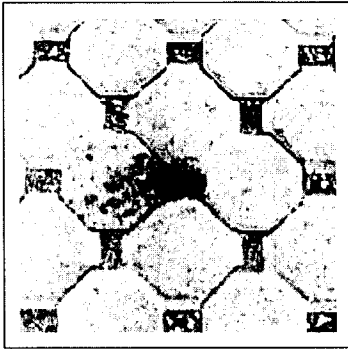
1. Slow Draining/Runoff:

- Verify with simple infiltration testing or observe after rain storms.
- Surface should drain immediately.



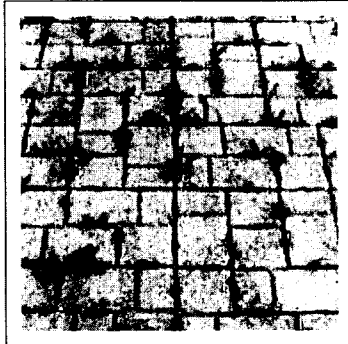
2. Ponding and Bird Baths:

- Rule of thumb: if more than a nickel deep one minute after a rainfall event, maintenance is necessary.
- Verify correct materials were installed.
- Exceptions at bottom of slopes.



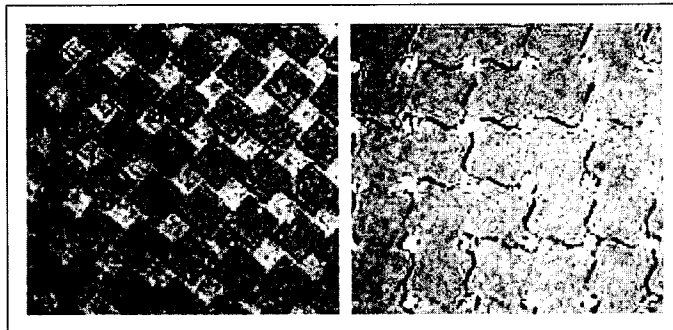
3. Surface Crusting:

- Identify if there is a problem such as run on sediments.
- Increase cleaning frequency in troubled areas.
- Remove debris immediately.



4. Weeds:

- Weeds will not germinate unless there is a collection of soil or moisture.
- Remove weeds immediately.
- Clean sediment from joint material.
- Chemical treatment may be required prior to maintenance removal.



5. Covered Joint Material:

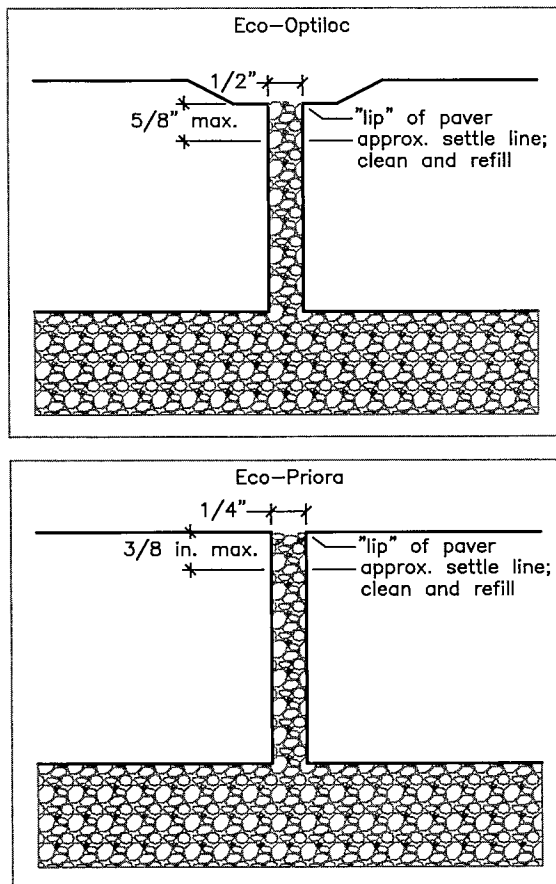
- Identify problem and correct.
- Remove immediately.
- Joint material should appear as photo on right.

These common problems can often be easily remedied by maintaining the proper joint aggregate level.

MAINTENANCE TYPES

There are two service types for maintaining the integrity of a permeable paver system.

1. **Preventative** – removes most miscellaneous debris before being trapped in the joint aggregate material causing clogging. This usually does not require removal of any joint material to restore infiltration.
2. **Restorative** – requires some removal or complete removal of the joint material to renew infiltration. Occurs after miscellaneous debris has been captured and lodged in the joint aggregate.



***Note:** Both maintenance types will be most effective when the joint aggregate material is filled to the "lip" of the paver. If the joint material has settled more than the joint width, plus 1/8 inch below the paver lip, the maintenance equipment is significantly less effective and potentially more expensive.

MAINTENANCE EQUIPMENT

Maintenance equipment requirements will vary according to project size, age, and product type.

Project Type 1: For smaller pedestrian type areas such as sidewalks, driveways, plazas, patios or similar:

Preventative:

1. Hand-Held Bristle Broom

- Available at any hardware store.
- Sweep as needed to keep the surface clear of debris.
- Approximate cost: \$15.



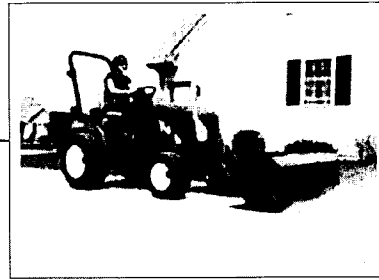
2. Leaf Blower

- Electric or gas powered.
- Minimum air speed of 120 mph.
- Joint aggregate material will remain in place while removing debris from paver surface.
- Approximate cost: \$50 to \$300.



3. Rotary Brush

- Poly bristles only.
- Flips debris from joint.
- Will require slight refilling of the joint aggregate material.
- Approximate cost: varies depending on attachment vehicle.



Restorative:

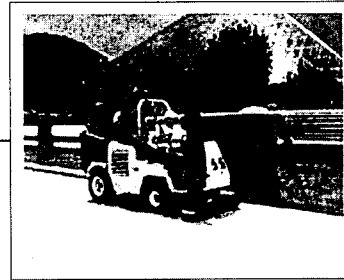
1. Wet/Dry Shop Vacuum

- Minimum 4 HP (peak) motor with 130 cubic feet per minute suction.
- Will remove some joint aggregate material.
- Replenish removed joint aggregate material to "lip" of paver.
- Approximate cost: \$50 to \$150.



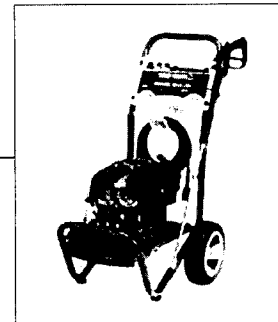
2. Riding Litter Vacuum

- Tennant ATLV 4300.
- 48 inch wide vacuum head.
- 110 gallon capacity.
- Can also be used as a preventative technique.
- Will evacuate most debris from joint except for aggregate material.
- Approximate cost: approx. \$25K new.



3. Powerwasher

- Capable of spraying 1,400 to 1,800 psi.
- Spray at a 30 degree angle approximately 18 to 24 inches from the surface.
- Will evacuate joint material.
- Replenish removed joint aggregate material to "lip" of paver.
- Approximate cost: \$125 to \$500.



Project Type 2: For larger vehicular areas such as roads, parking lots, alleys, plazas or similar that can support vehicles:

Preventative:

1. Rotary Brush

- Poly bristles only.
- Flips debris from joint.
- Will require slight refilling of the joint aggregate material.
- Approximate cost: Varies depending on attachment vehicle.



2. Broom Sweepers

- Typical “street sweeper” type.
- Rotating curb brushes with center pickup.
- Poly bristles only.
- Do not utilize water to clean the surface as this can have detrimental effects on the cleaning.
- Best for seasonal cleaning.
- Approximate cost: \$100 to \$120 per hour from a service company.



3. Regenerative Air Sweepers

- Light duty suction cleaning.
- Utilizes stream of air blowing horizontally across surface and vacuuming.
- No rotating brushes.
- Approximate cost: \$45 to \$65 per hour from a service company.



Restorative:

1. Vacuum Sweepers

- Vacall Dynamic Multi-Purpose Vacuum.
(top photo)
- Elgin Whirlwind.
(bottom photo)
- Heavy duty cleaning.
- Minimum suction of 14,000 cubic feet per minute.
- Complete evacuation of joint aggregate material.
- Replenish removed joint aggregate material to “lip” of paver.
- Approximate cost: \$2.50 to \$4.50 per parking space.



2. Powerwashers

- Capable of spraying 1,400 to 1,800 psi.
- Spray at a 30 degree angle approximately 18 to 24 inches from the surface.
- Will evacuate joint aggregate material.
- Replenish removed joint aggregate material to “lip” of paver.

STRATEGIC PROCEDURES FOR MAINTAINING INFILTRATION

Observe and implement the following habitual procedures to ensure longevity of the system.

1. **Weekly** – prevent contamination from routine landscape maintenance such as grass clippings from mowing, hedge trimming, mulching plant beds, etc. by implementing the following joint opening cleaning procedures immediately after contamination occurs:
 - Hand broom debris from the paver surface.
 - Blow debris from the paver surface with backpack blower type device, collect and dispose.
 - Mechanically sweep paver surface.

2. **Monthly** – observe any collection areas of debris, dirt, topsoil, mulch, etc. after season events such as snowfall, rain storms, leaf litter, etc. and investigate if clogging is occurring. Immediately restore infiltration using the following cleaning options:
 - Break up any crust covering the joint aggregate material with hand broom for smaller areas or mechanically with a rotary sweeper for larger areas. Remove debris material.
 - When necessary, restore infiltration using wet/dry shop vacuum for small areas or vacuum truck for larger areas by removing debris from joint aggregate material.
 - Replenish joint aggregate material to “lip” of paver.
3. **Yearly** – establish a seasonal maintenance schedule that includes the following:
 - Sweep entire permeable paving surface with appropriate preventative sweeping devices.
 - Replenish joint aggregate material to “lip” of paver.
4. **Ten years plus** – plan long term maintenance to rejuvenate infiltration rates:
 - Complete restoration of the joint aggregate material.
 - Replenish joint with cleaned or new aggregate material to “lip” of paver.

RECOMMENDED SEASONAL MAINTENANCE SCHEDULE

Unilock suggests establishing a best practices maintenance program to ensure longevity of the systems before restorative action is required. Biannual preventative maintenance is suggested as shown in the schedule below. This includes sweeping once in the early spring and once again in the late fall. Below is a preventative maintenance timeline that includes four maintenance suggestions:

1. **After the snow melt – March 1 through April 15**
 - Broom, blow, rotary brush or sweep entire surface.
 - Clean debris from paver surface in location of snow stockpile area.
 - Replenish joint aggregate material after cleaning.
 - Every fifth year, vacuum or power wash problem areas and refill joint material.
2. **Late Spring – April 1 through May 15**
 - Broom, blow, rotary brush or sweep flowers from trees and shrubs.
 - Collect any additional debris from areas mulched or planted with annual flowers.
 - Replenish joint aggregate material as necessary.
3. **Late Summer – July 15 through August 30**
 - Broom, blow, rotary brush or sweep lawn and shrub clippings or tree fruits.
 - Collect any additional debris from summer activities such as charcoal coals inadvertently dumped on the permeable surface, beach sand, etc.
 - Replenish joint aggregate material as necessary.
4. **Late Fall – October 15 through November 30**
 - Broom, blow, rotary brush or sweep plant leaves.
 - Replenish joint aggregate material as necessary.

Various factors will affect each project's preventative maintenance timeline and must be reviewed individually.

See the Recommended Seasonal Maintenance Schedule chart on next page.

| Recommended Maintenance Schedule | | Seasonal BMP | | | |
|----------------------------------|--|-----------------|---------------|---------------------|---------------|
| | | After Snow Melt | Late Spring | Late Summer | Late Fall |
| Techniques | Project Type 1: Preventative - choose one | | 1x per season | optional | 1x per season |
| | Bristle Broom | ** | * | */** | * |
| | Leaf Blower | ** | * | */** | * |
| | Rotary Brush | | * | */** | * |
| | Project Type 1: Restorative | | ** | | ** |
| | Wet-Dry Vacuum | ** | ** | ** | ** |
| | Riding Litter Vacuum | | * | **1x every 5 yrs. | * |
| | Powerwasher | ** | ** | ** | ** |
| | Project Type 2: Preventative - choose one | | 1x per season | optional | 1x per season |
| | Rotary Brush | | * | | * |
| | Broom Sweepers | | * | | * |
| | Regenerative Air Sweepers | | * | | * |
| | Project Type 2: Restorative | | | ** 1x every 10 yrs. | |
| | Vacuum Sweepers | | | ** | |
| | Powerwasher | ** | ** | ** | ** |

* recommended

** as needed per Strategic Procedures

WINTER MAINTENANCE AND DE-ICING

Durability is one benefit that Unilock paving stones are known for. Almost all Unilock paving stones have a slight bevel around the edge of the stone. This helps protect the edges from potential chipping by snow clearing equipment. Always use a plastic snow shovel for paving stones. Also fit snow blowers with plastic shoes on the adjustable gliders and on the scoop edge.

When using commercial snow removal companies, confirm in writing they have protective edges on the snowplow equipment to avoid scratching the surface. Although the metal on snow clearing equipment will not adversely affect Unilock paving stones structurally, the contact of any steel on concrete can potentially leave tiny particles of metal in the paver surface which will rust and leave unsightly brown streaks. (A good example of this can be seen on the municipal curbs at the street). To reduce aesthetic damage to the paver surface, only use a polymer or rubber cutting edge on the plow.

De-icing substances, when used in proper amounts, will not damage good-quality concrete. They will, however, speed up the surface wear on some styles of pavers. Many of the exposed aggregate products and tumbled products are unaffected by virtue of their style.

There are three primary types of de-icing salts:

- Sodium chloride (common rock salt) is the most popular de-icing salt. It is widely available and it will melt snow and ice at temperatures down to approximately 16° F. Below 16° F, rock salt stops melting snow and ice. Sodium chloride can damage adjacent grass, plants and metal. Apply with caution and use as sparingly as possible.
- Calcium chloride is another de-icing salt. It generally looks like small, white, round, pellets. It will melt snow down to about 0° F. It can irritate skin. Studies indicate that depending on the concentration, calcium chloride is less damaging to grass than sodium chloride is. Heavy concentrations of calcium chloride can chemically attack concrete.
- Potassium chloride is a de-icing salt available in some markets. It will not hurt skin or damage plants. However, it melts ice only when the air temperature is above 15° F, but it can be combined with sand to improve effectiveness.

Note: Do not use magnesium chloride.

Note: Do not use sand for anti-skid with permeable pavers as it will clog the joint material.

Note: Fertilizers that contain ammonium nitrate and ammonium sulfate should not be used for de-icing since these substances attack the integrity of concrete. Always read the manufacturer's recommendations for use and heed all warnings and cautions.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

When we take care of the earth,
it will ultimately take care of us.

BOSTON
35 Commerce Dr.
Uxbridge, MA 01569
Tel: (508) 278-4536
Fax: (508) 278-4572

BUFFALO
510 Smith St.
Buffalo, NY 14210
Tel: (716) 822-6074
Fax: (716) 822-6076

CHICAGO
301 E. Sullivan Rd.
Aurora, IL 60505
Tel: (630) 892-9191
Fax: (630) 892-9215

CLEVELAND
12560 Sheets Rd.
Rittman, OH 44270
Tel: (330) 927-4000
Fax: (330) 927-4100

DETROIT
12591 Emerson Dr.
Brighton, MI 48116
Tel: (248) 437-7037
Fax: (248) 437-4619

MILWAUKEE
W 4814 Country Hwy A
Elkhorn, WI 53121
Tel: (262) 742-3890
Fax: (262) 742-2168

NEW YORK
51 International Blvd.
Brewster, NY 10509
Tel: (845) 278-6700
Fax: (845) 278-6788

CHESTER
26 Tetz Rd.
Chester, NY 10918
Tel: (845) 469-1230
Fax: (845) 469-1213

PHILADELPHIA
229 Route 541 Bypass
Lumberton, NJ 08048
Tel: (609) 914-0000
Fax: (609) 914-0209

TORONTO
287 Armstrong Ave.
Georgetown, ON L7G 4X6
Tel: (416) 646-9000
Fax: (905) 874-3034

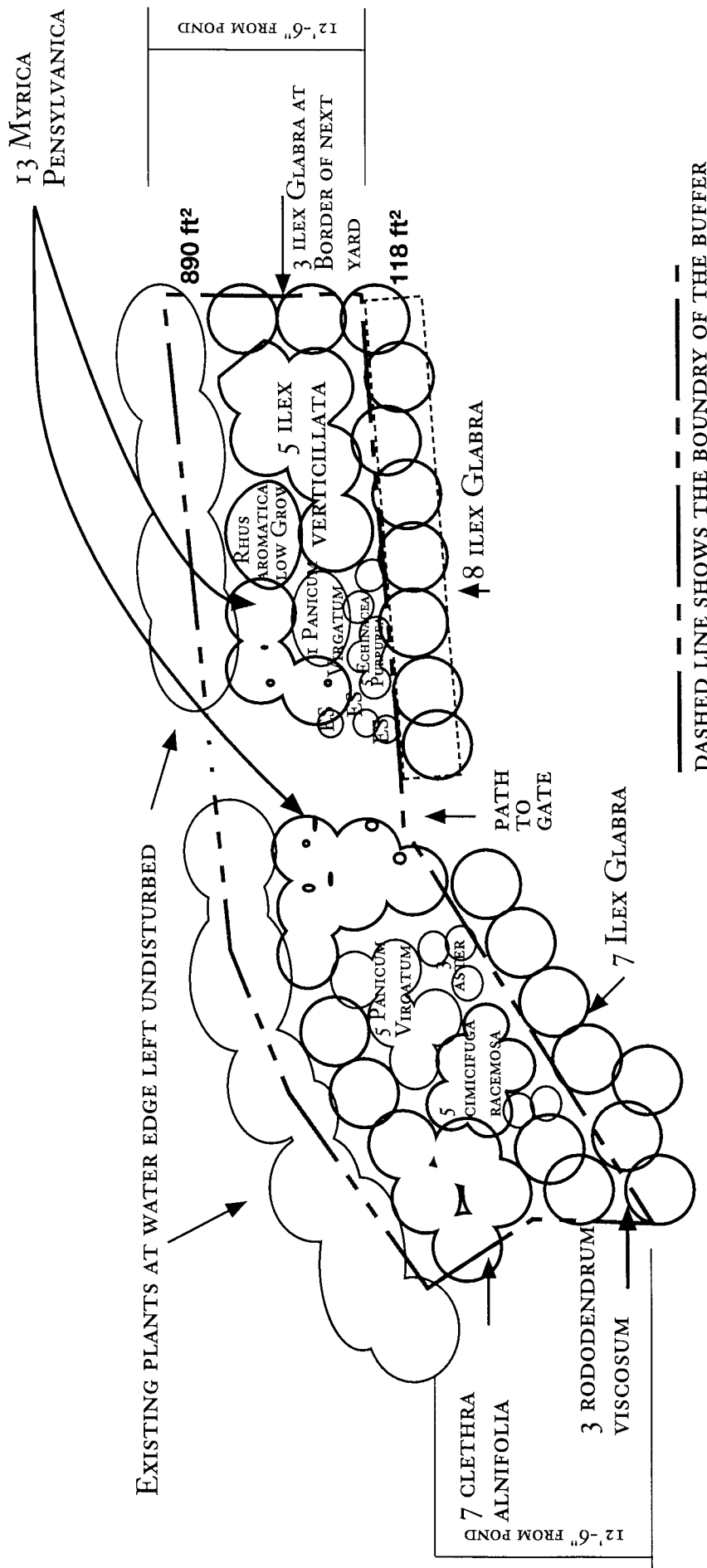


Mixed Sources

Product group from well-managed
forests and other controlled sources
www.fsc.org Cert no. SW-COC-001832
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www.unilock.com | 1-800-UNILOCK

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PLANT LIST

- 13 Myrica Pensylvanica, Bayberry
- 1 Rhus Aramatica, sumac
- 5 Ilex Verticillata, Winterberry, 1 male +4 female
- 6 Panicum Virgatum, Switch Grass
- 3 Eragrostis Spec., Purple Love Grass
- 5 Echinacea Purpurea, Coneflower
- 3 Aster Nove Angliae, New England Aster
- 5 Cimicifuga Racemosa, Snakeroot
- 7 Clethra Alnifolia, Sweet Pepper Bush
- 3 Rododendron Viscosum, Swamp Azalea
- 7 Tiarella Cordata, Foamflower
- 18 Ilex Glabra, Ink Berry

NOTE:

The 12 foot buffer constitutes 890 sq.ft.
This leaves the existing clump of salix isolated in an awkward way so I have added the ilex band and the Magnolia. (dotted line) Combined they add 292 sq. ft.

Total planting area is therefore 1182 sq.ft.

12 FOOT VEGETATION BUFFER
46 SPY POND PARKWAY
ARLINGTON, MA
MAY 2020

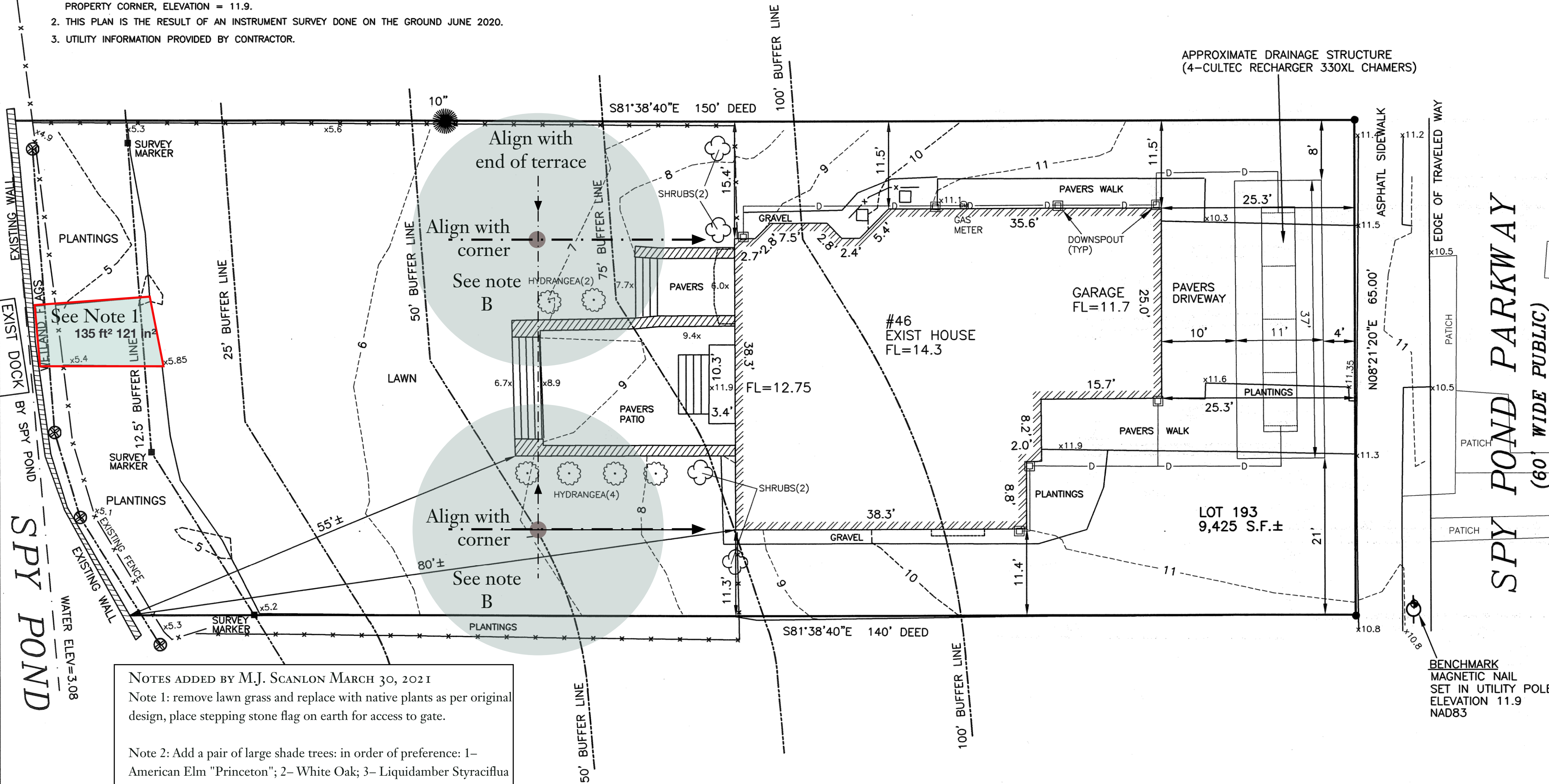
The Studio Of
MICHAEL J. SCANLON
28 Holyoke Street, Boston MA, 02116
617-894-9785 MJS@MJS SCANLON.COM

WWW.MJSCANLON.COM

National Council for Interior Design Qualification # 12167

GENERAL NOTES

1. ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILITY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
2. THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND JUNE 2020.
3. UTILITY INFORMATION PROVIDED BY CONTRACTOR.



NOTES ADDED BY M.J. SCANLON MARCH 30, 2021

Note 1: remove lawn grass and replace with native plants as per original design, place stepping stone flag on earth for access to gate.

Note 2: Add a pair of large shade trees: in order of preference: 1- American Elm "Princeton"; 2- White Oak; 3- Liquidamber Styraciflua

Note that a spreading crown is desired for shade, columnar forms are to be avoided in this application

ESTABLISHED 1916

EMB

EVERETT M. BROOKS CO.

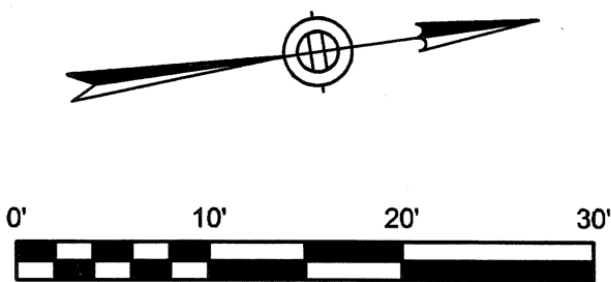
SURVEYORS & ENGINEERS

49 LEXINGTON STREET

WEST NEWTON, MA 02465

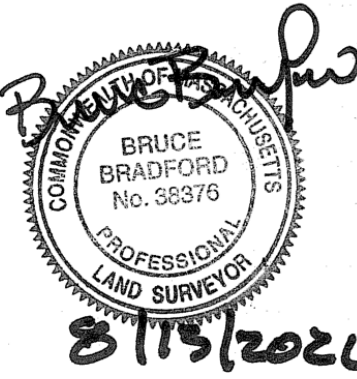
(617) 527-8750

info@everettbrooks.com



DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D

| LEGEND | | | |
|--------|----------------|--|------------------|
| | UTILITY POLE | | EXISTING CONTOUR |
| | WATER GATE | | DRAIN LINE |
| | HYDRANT | | ROOF DRAIN |
| | GAS GATE | | FOUNDATION DRAIN |
| | SEWER MANHOLE | | WATER LINE |
| | DRAIN MANHOLE | | SEWER LINE |
| | CATCH BASIN | | GAS LINE |
| | TREE | | OVERHEAD WIRES |
| | LIGHT POLE | | FENCE |
| | SIGN | | HEDGE |
| | SPOT ELEVATION | | TREE LINE |



PLAN OF LAND IN
ARLINGTON, MA

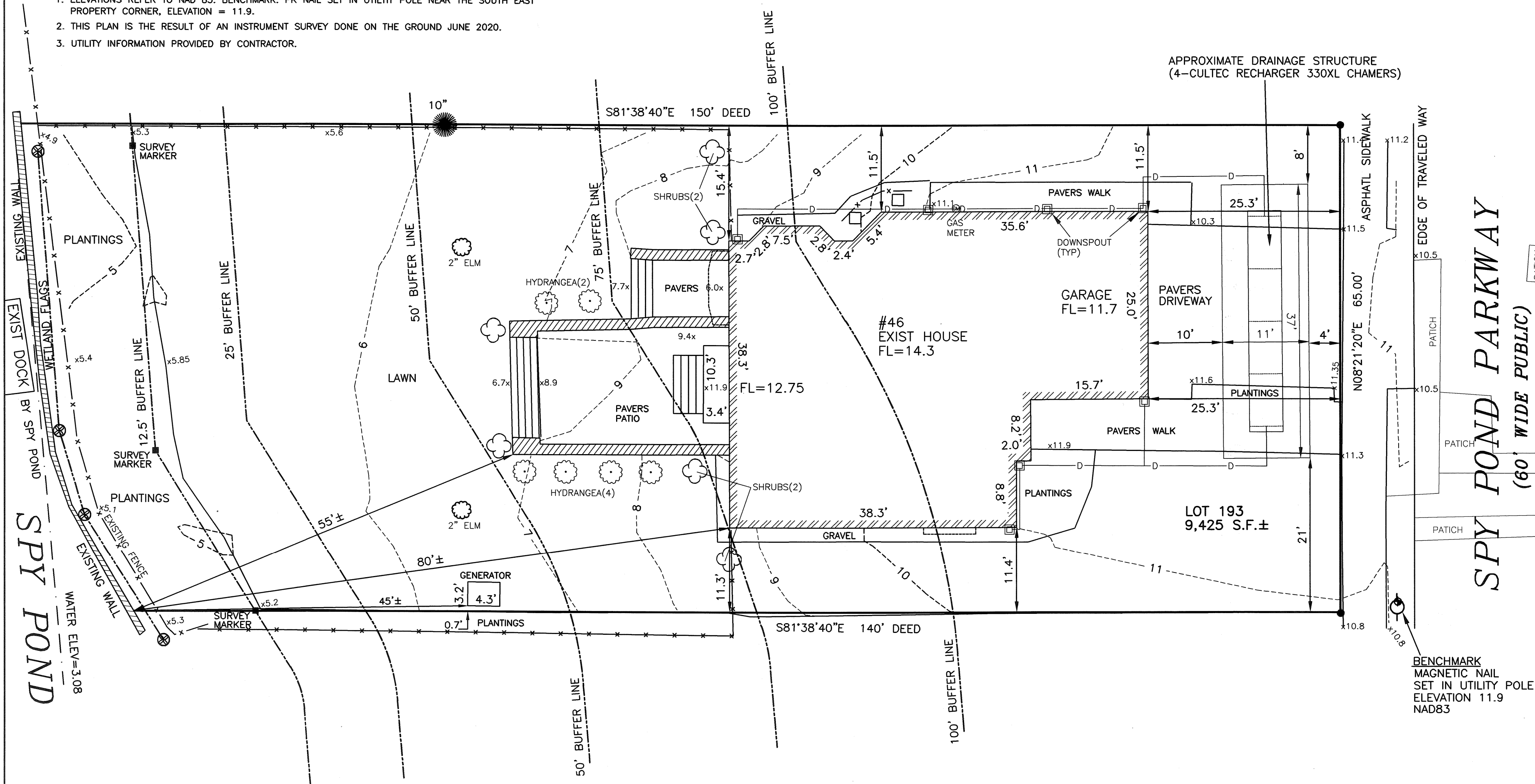
46 SPY POND PARKWAY
AS-BUILT

| | | |
|-----------------------|---------|----|
| SCALE: 1 IN. = 10 FT. | | |
| DATE: JUNE 29, 2020 | | |
| DRAWN: GA/ ES | | |
| CHECK: BB & MSK | | |
| REVISIONS: | | |
| 8/13/20 | VARIOUS | ES |

PROJECT NO. 24816

GENERAL NOTES

- ELEVATIONS REFER TO NAD 83. BENCHMARK: PK NAIL SET IN UTILITY POLE NEAR THE SOUTH EAST PROPERTY CORNER, ELEVATION = 11.9.
- THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY DONE ON THE GROUND JUNE 2020.
- UTILITY INFORMATION PROVIDED BY CONTRACTOR.

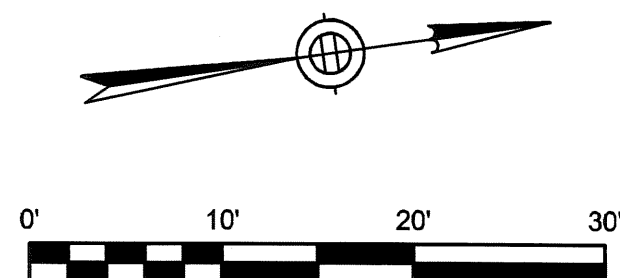


LEGEND

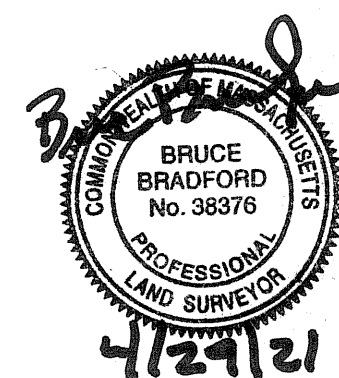
| | | | |
|--------|----------------|---------|------------------|
| ○ | UTILITY POLE | --- | EXISTING CONTOUR |
| ■ | WATER GATE | — D — | DRAIN LINE |
| ✕ | HYDRANT | — RD — | ROOF DRAIN |
| □ | GAS GATE | — FD — | FOUNDATION DRAIN |
| ⊙ | SEWER MANHOLE | — W — | WATER LINE |
| ⊖ | DRAIN MANHOLE | — S — | SEWER LINE |
| ■ | CATCH BASIN | — G — | GAS LINE |
| ○ | TREE | — OHW — | OVERHEAD WIRES |
| ⊙ | LIGHT POLE | — X — | FENCE |
| ⊙ | SIGN | — | HEDGE |
| 71.4 X | SPOT ELEVATION | — | TREE LINE |

ESTABLISHED 1916
EMB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465

(617) 527-8750
info@everettbrooks.com



DEED REFERENCE:
BK 1478 PG 58
PLAN REFERENCE:
L.C.C. 16919 D



PLAN OF LAND IN ARLINGTON, MA

46 SPY POND PARKWAY
AS-BUILT

SCALE: 1 IN. = 10 FT.
DATE: JUNE 29, 2020
DRAWN: GA/ ES
CHECK: BB & MSK

REVISIONS:

| | | |
|---------|------------------|-----|
| 8/13/20 | VARIOUS | ES |
| 4/29/21 | GENERATOR, TREES | LNS |

PROJECT NO. 24816

EVERETT M.

BROOKS

COMPANY

April 29, 2021

Sean Galvin
46 Spy Pond Parkway
Arlington, MA

RE: 46 Spy Pond Parkway, DEP File # 091-0300

Dear Mr. Galvin

Enclosed please find one (1) print of the plan entitled "Plan of Land in Arlington, MA 46 Spy Pond Parkway As-Built", dated June 29, 2020, revised 4/29/21..

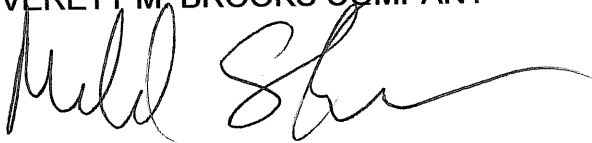
This office completed an as-built survey and site inspections of the project site between June 2020 and April 2021. We find that the enclosed plan differs from the Order of Conditions and the approved site plan dated September 4, 2018, revised 10/23/20, as follows:

1. The backyard terrace was constructed at 25.8' x 17.8' as shown on the referenced site plan not at 17' x 17' as noted in Condition 40 of the Order of Conditions.
2. A larger basement access was constructed at the rear of the house. The paver access terrace is 75 S.F. with 36 S.F. of an added wall and steps, an increase from the proposed 50 S.F. access.
3. The impervious area within the 100 Buffer Zone is 990 S.F., an increase from the proposed area of 771 S.F.
4. Note that Condition 41 will need to be addressed by the Landscape Architect.
5. A generator and pad was added to the site.

If you have any questions regarding this project, please feel free to call our office.

Very truly yours,

EVERETT M. BROOKS COMPANY



Michael S. Kosmo, P. E.

SURVEYORS & ENGINEERS

49 Lexington Street West Newton, MA 02465 (617) 527-8750 Fax: (617) 332-1578 www.everettbrooks.com



Town of Arlington, Massachusetts

Request for Plan Amendment

Summary:

Request for Plan Amendment: 10-16 Mill Street
MassDEP File #091-0294

7:45pm This project proposes to redevelop existing mill buildings on three separate lots within the Riverfront Area of Mill Brook. This project was approved by the Commission on 6/21/2018, and an extension was granted until 6/21/2023.

ATTACHMENTS:

| Type | File Name | Description |
|--------------------|---------------------------------------|--|
| □ Notice of Intent | 10-16_Mill_St_Amendment_Narrative.pdf | 10-16 Mill Street Request for Plan Amendment |
| □ Notice of Intent | 10-16_Mill_St_Amendment_Plans.pdf | 10-16 Mill Street Request for Plan Amendment_Plans |



July 1, 2021

Arlington Conservation Commission
730 Massachusetts Avenue
Arlington, MA 02476

**Re: Minor Amendment to Order of Condition
10, 12, 14, 16 Mill Street Arlington, MA 02476**

Dear Members of the Commission,

Howard Stein Hudson, on behalf of Highrock Church, inc, submit the following Site Plan to support a Minor Amendment of the Order of Conditions governing work at properties located at 10, 12, 14, and 16 Mill Street.

Since the Order of Conditions was issued, the Site Plan has had minor modifications related to the location of work occurring. The following list describes changes to the site plan since the release of the Order of Conditions:

- The front entry plaza has been redesigned to include a small gathering space, open seating, and a protection wall from Mill Street;
- The dumpster relocation to the rear of the building has been removed, and the dumpsters will remain where they currently exist. The existing dumpster pad will be reconstructed to allow stormwater to properly flow, and a privacy fence will be installed;
- An accessible path has been designed from Mill Brook Drive to the rear of the building to accommodate ADA accessibility for pedestrians from Mill Brook Drive;
- A larger, pervious, play space has been incorporated to replace pavement in the rear of the building;
- And grading modifications to the slope along the back wall of the existing 10-12 Mill Street Building have been proposed to direct water away from the existing foundation of the building. This grading modification will result in the removal of 5 trees (2 <6", 1-8", 1-10", and 1-12"). Per the Arlington Wetland Protection Bylaw, this requires replacement in the amount of 8 trees. Being that the area to relocate these trees is a very steep slope (approximately 1.5:1), it was thought that shrubs may be a better alternative for not only stabilizing the slope, but also to ensure long term survivability. With this in mind, we have proposed 3 Robin Hill Serviceberry Trees, and 23 shrubs being a mixture of Chokeberry, Oakleaf Hydrangea, and Shore Junipers, supported by 4 flats of Periwinkle groundcover. This totals 26 Shrubs/Trees compared to the required 8 replacement trees.

Please schedule this item for the next available Conservation Commission hearing. Do not hesitate to contact Howard Stein Hudson's Chelmsford Office at (978)-844-5251 with any questions or concerns.

Sincerely,

Howard Stein Hudson

Kasey Ferreira, E.I.T.
Civil Engineer

Katie Enright, P.E.
Associate/Senior Civil Engineer

SITE PLAN FOR
PROPOSED RENOVATION
10, 12, 14, 16 MILL STREET
ARLINGTON, MA.
FOR
HIGHROCK COVENANT CHURCH

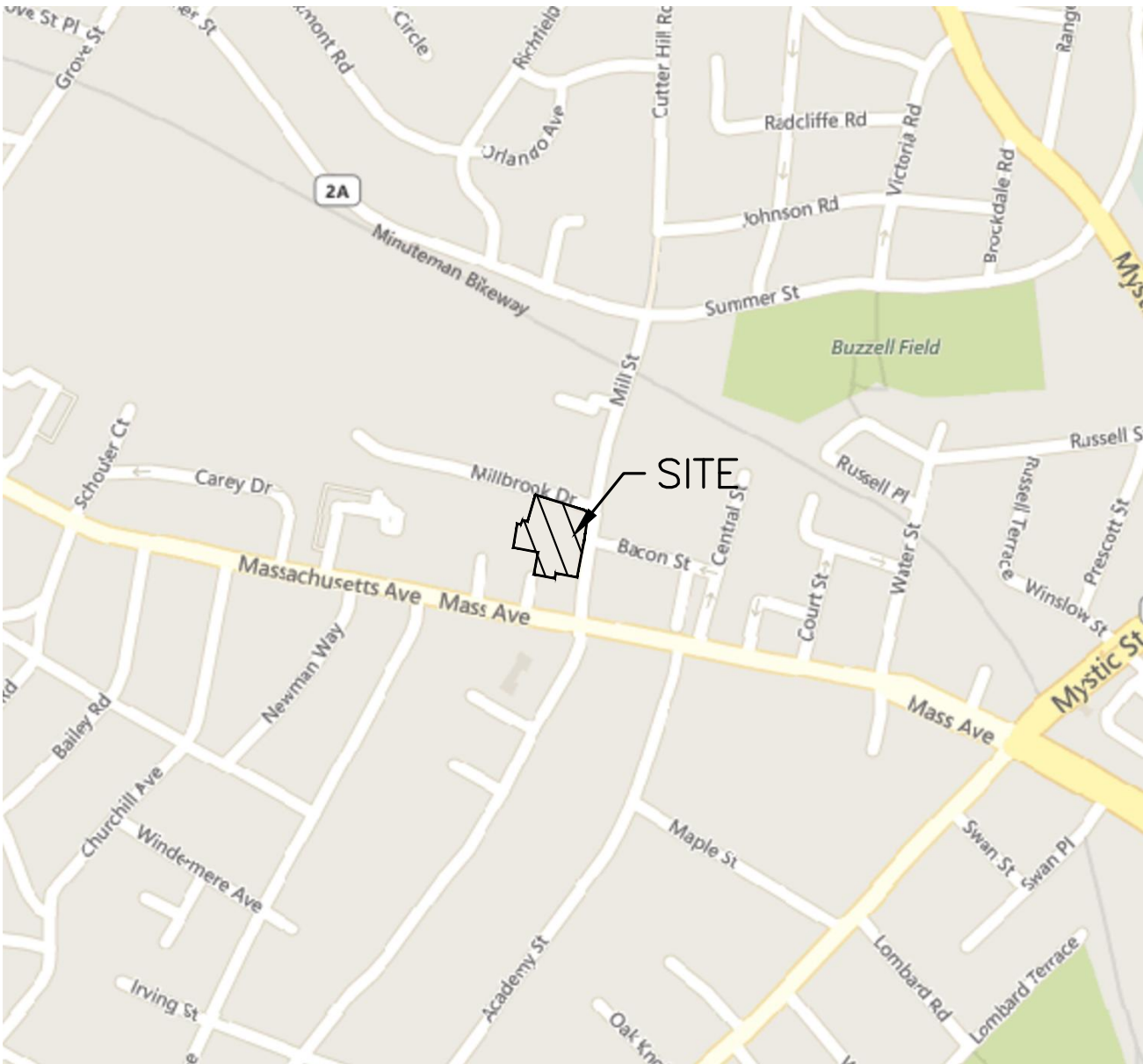
GENERAL NOTES:

1. EXISTING PROPERTY LINE AND UTILITY INFORMATION SHOWN IS BASED ON AN EXISTING SURVEY CONDUCTED BY HANCOCK ASSOCIATES REVISED THROUGH 12-15-2020.
2. THE ACCURACY AND COMPLETENESS OF THE UNDERGROUND UTILITIES AS SHOWN ON THE PLANS ARE NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE, TYPE, ETC. OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY THE WORK. AT LEAST 72 HOURS BEFORE EXCAVATION, THE CONTRACTOR SHALL BE REQUIRED TO CONTACT DIGSAFE AT 1-888-344-7233.
3. THE CONTRACTOR SHALL FIELD VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
4. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE APPROPRIATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION.
5. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, PRIOR TO EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAVING.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES EXCEPT THOSE NOTED TO BE ABANDONED, REMOVED AND DISPOSED.
7. THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS AT HIS/HER OWN EXPENSE, OUTSIDE OF THE PROJECT LIMITS.

SHEET INDEX

| | |
|---------|-------------------------------------|
| SHEET 1 | TITLE SHEET |
| SHEET 2 | LAYOUT AND MATERIALS PLAN |
| SHEET 3 | GRADING, DRAINAGE AND UTILITY SHEET |
| SHEET 4 | DETAIL SHEET 1 OF 4 |
| SHEET 5 | DETAIL SHEET 2 OF 4 |
| SHEET 6 | DETAIL SHEET 3 OF 4 |
| SHEET 7 | DETAIL SHEET 4 OF 4 |

EXISTING CONDITIONS PLAN



LOCUS MAP
1"=500'

PROJECT TEAM:

APPLICANT

HIGHROCK CHURCH, INC.
14 MILL STREET
ARLINGTON, MA 02474

CIVIL ENGINEER

HOWARD STEIN HUDSON
114 TURNPIKE ROAD
SUITE 2C
CHELMSFORD, MA

SURVEYOR

HANCOCK ASSOCIATES
34 CHELMSFORD STREET
SUITE 2
CHELMSFORD, MA 01824

ARCHITECT

MAUGEL ARCHITECTS, INC.
200 AYER ROAD
SUITE 200
HARVARD, MA 02451

OWNER

HIGHROCK CHURCH INC.
14 MILL STREET
ARLINGTON, MA 02474

ASSESSORS INFORMATION

ASSESSORS MAP 52 BLOCK 1 LOT 12
ASSESSORS MAP 52 BLOCK 1 LOT 18
ASSESSORS MAP 52 BLOCK 1 LOT 19
ASSESSORS MAP 52 BLOCK 1 LOT 20.D

REFERENCES

1. EXISTING CONDITIONS SURVEY ENTITLED "EXISTING CONDITIONS PLAN OF LAND IN ARLINGTON MASSACHUSETTS" DATED DECEMBER 11, 2013 AND REVISED THROUGH JANUARY 20, 2014.

ZONING REQUIREMENTS

I - INDUSTRIAL DISTRICT

DIMENSIONAL REQUIREMENTS

| | REQUIREMENT | EXISTING* | APPROVED* | PROPOSED* |
|--------------------------|-------------|-----------|-----------|-----------|
| MINIMUM LOT AREA | - | - | - | - |
| MINIMUM LOT FRONTAGE | - | - | - | - |
| MINIMUM FRONT YARD | 10 FT | 0.5 FT±** | 0.5 FT±** | 0.5 FT±** |
| MINIMUM SIDE YARD | 10 FT | 0 FT±** | 0 FT±** | 0 FT±** |
| MINIMUM REAR YARD | 10 FT | N/A | N/A | N/A |
| MAXIMUM STORIES | 4 | 2 | 2 | 2 |
| MAXIMUM BUILDING HEIGHT | 52 FT | - | - | - |
| MAXIMUM FLOOR AREA RATIO | 1.50 | 1.30± | 1.38± | 1.35± |

* DIMENSIONS FOUND BY COMBINING ASSESSORS MAP 52 BLOCK 1 LOTS 12, 18, 19 AND 20.D TO PROPERLY COMPARE BETWEEN EXISTING AND PROPOSED CONDITIONS.

** EXISTING NON-CONFORMING DIMENSION

PARKING REQUIREMENTS

THEATER, RESTAURANT, GYMNASIUM, AUDITORIUM OR SIMILAR PLACE OF PUBLIC ASSEMBLY WITH SEATING FACILITIES.

500 SEATS X 1 PARKING SPACE/4 SEATS = 125 PARKING SPACES

OFFICE USE INCLUDING PROFESSIONAL, BUSINESS, OR MEDICAL AND DENTAL
1 SPACE PER 500 SF X 4,652 SF = 10 SPACES

TOTAL SPACES REQUIRED: 135 SPACES

EXISTING SPACES

PARKING AGREEMENT: 25 SPACES
ON STREET PARKING: 7 SPACES
TOTAL EXISTING PARKING: 32 SPACES



HOWARD STEIN HUDSON

114 Turnpike Road, Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR:

DREW HUNTER
HIGHROCK CHURCH
14 MILL STREET
ARLINGTON, MA 02476

HIGHROCK CHURCH
RENOVATION
10, 12, 14, 16 MILL STREET
ARLINGTON, MA 02476

REVISIONS:

| NO | BY | DATE | DESCRIPTION |
|----|----|----------|---------------------|
| 1 | ND | 02-06-20 | PER ARCH. CHANGES |
| 2 | KF | 12-15-20 | PER ARCH. DIRECTION |
| 3 | SM | 12-23-20 | PER ARCH. COMMENTS |
| 4 | KF | 01-27-21 | PER ARCH. COMMENTS |
| 5 | MB | 02-09-21 | DRIVEWAY DETAIL |
| 6 | KL | 03-11-21 | PER CLIENT COMMENTS |
| 7 | KF | 04-23-21 | ADD DECK TO REAR |
| 8 | KF | 07-01-21 | OOB AMENDMENT |



SITE
PLAN

COVER
SHEET

DATE: OCTOBER 16, 2018

PROJECT NUMBER: 17222

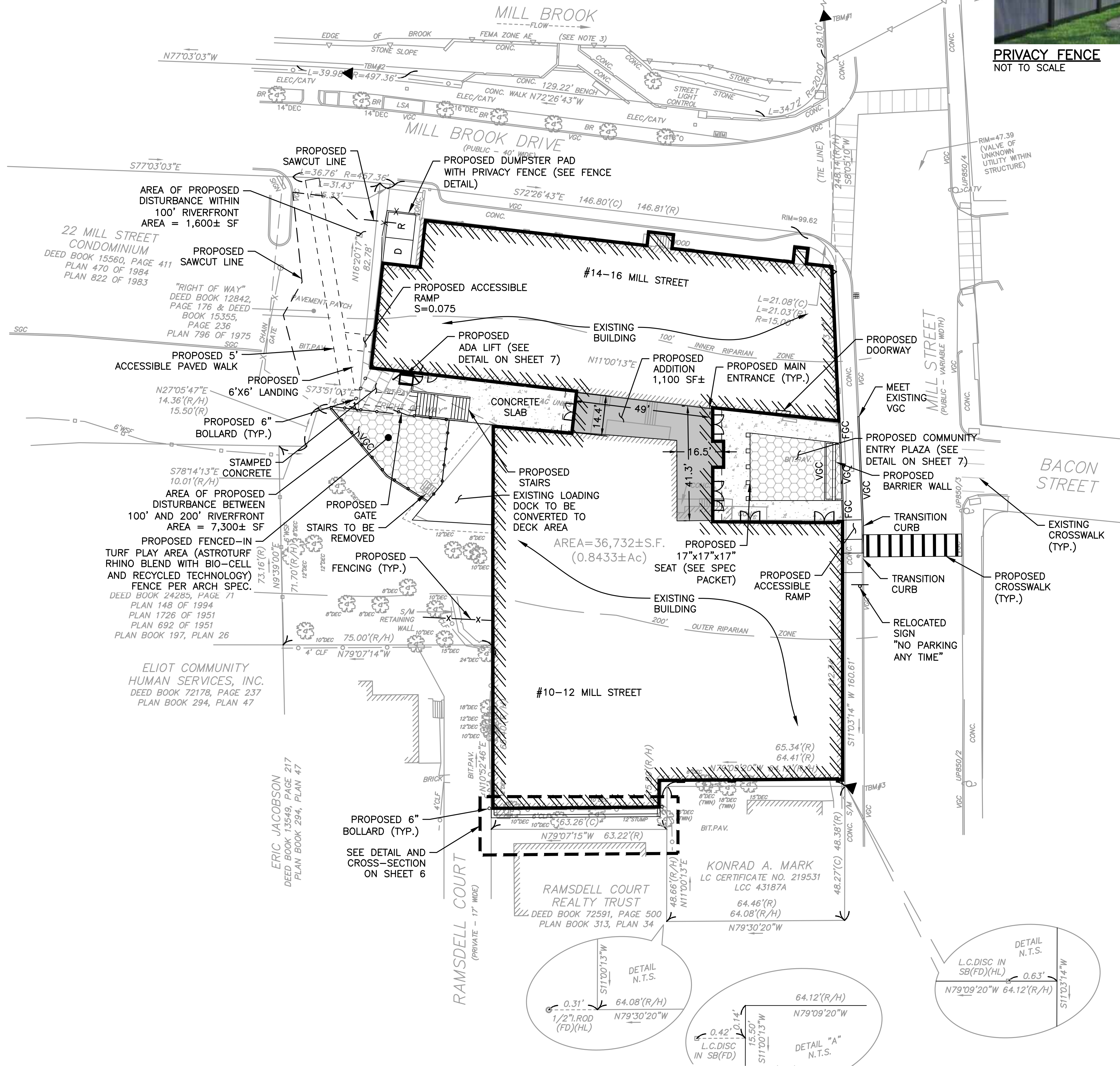
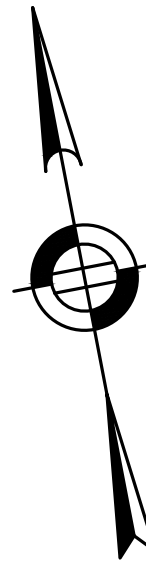
DESIGNED BY: KE

DRAWN BY: KF/PS

CHECKED BY: KE

1

SHEET 1 OF 7



PRIVACY FENCE
NOT TO SCALE



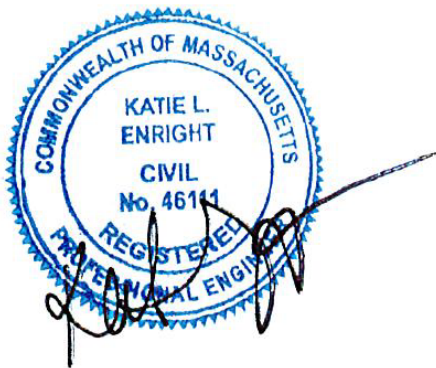
HOWARD STEIN HUDSON
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Chelmsford, MA 01824
www.hshassoc.com

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DREW HUNTER
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**HIGHROCK CHURCH
RENOVATION**
10, 12, 14, 16 MILL STREET
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SITE
PLAN

LAYOUT AND
MATERIALS PLAN

| | |
|-----------------|------------------|
| DATE: | OCTOBER 16, 2018 |
| PROJECT NUMBER: | 17222 |
| DESIGNED BY: | KE |
| DRAWN BY: | KF |
| CHECKED BY: | KE |





HOWARD STEIN HUDSON

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SITE
PLAN

GRADING,
DRAINAGE, AND
UTILITIES PLAN

DATE: OCTOBER 16, 2018

PROJECT NUMBER: 17222

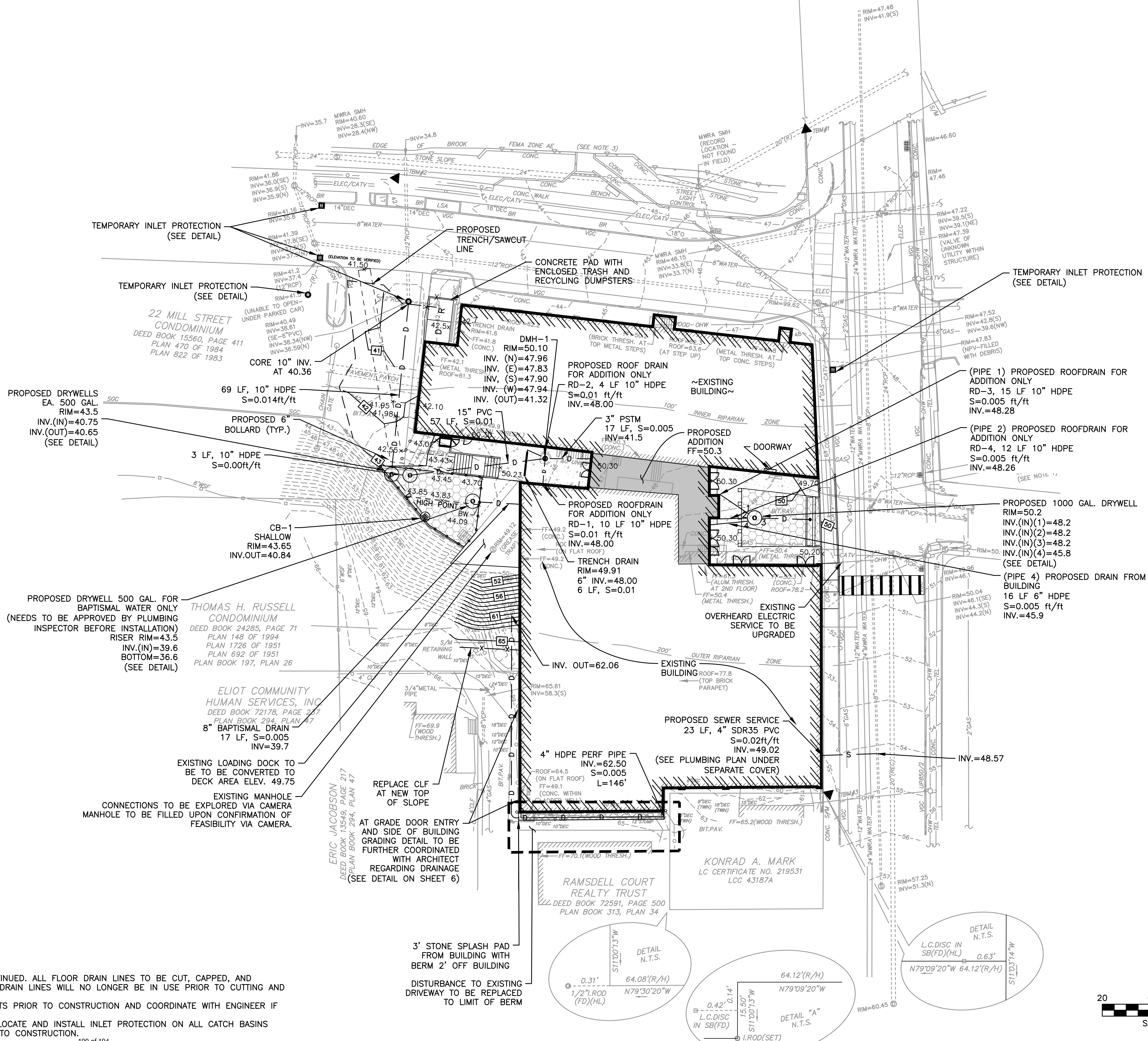
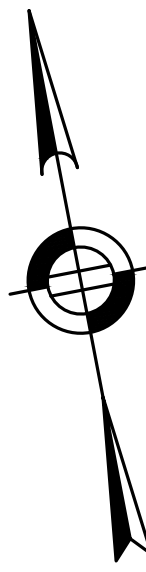
DESIGNED BY: KE

DRAWN BY: KF

CHECKED BY: KE

3

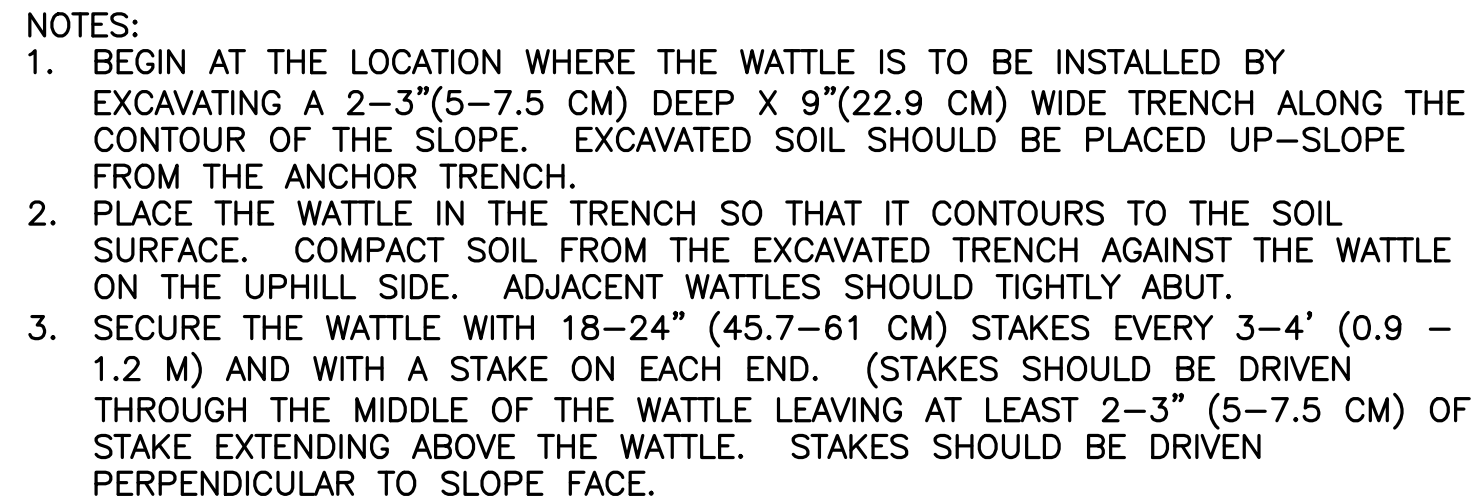
SHEET 3 OF 7



- NOTES:
1. ALL FLOOR DRAINS TO BE DISCONTINUED. ALL FLOOR DRAIN LINES TO BE CUT, CAPPED, AND ABANDONED. CONTRACTOR TO VERIFY DRAIN LINES WILL NO LONGER BE IN USE PRIOR TO CUTTING AND CAPPING.
 2. CONTRACTOR TO VERIFY ALL INVERTS PRIOR TO CONSTRUCTION AND COORDINATE WITH ENGINEER IF NECESSARY.
 3. CONTRACTOR IS RESPONSIBLE TO LOCATE AND INSTALL INLET PROTECTION ON ALL CATCH BASINS DOWNSLOPE FROM WORK SITE PRIOR TO CONSTRUCTION.

1. EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED AND UPGRADED AS NECESSARY DURING CONSTRUCTION BY THE CONTRACTOR. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSPECT AND INSTALL ADDITIONAL CONTROL MEASURES AS NEEDED DURING CONSTRUCTION.
2. ALL CATCH BASINS RECEIVING DRAINAGE FROM THE PROJECT SITE MUST BE PROVIDED WITH A CATCH BASIN FILTER.
3. STABILIZATION OF ALL RE-GRADED AND SOIL STOCKPILE AREAS MUST BE MAINTAINED DURING ALL PHASES OF CONSTRUCTION.
4. SEDIMENT REMOVED FROM EROSION AND SEDIMENT CONTROL DEVICES MUST BE PROPERLY REMOVED AND DISPOSED. ALL DAMAGED CONTROLS MUST BE REMOVED AND REPLACED.
5. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING THE EROSION AND SEDIMENT CONTROL PLAN. THIS INCLUDES THE INSTALLATION AND MAINTENANCE OF CONTROL MEASURES, INFORMING ALL PARTIES ENGAGED ON THE CONSTRUCTION SITE OF THE REQUIREMENTS AND OBJECTIVES OF THE PLAN, AND NOTIFYING THE PROPER CITY AGENCY OF ANY TRANSFER OF THIS RESPONSIBILITY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTROLLING WIND EROSION AND DUST THROUGHOUT THE LIFE OF HIS CONTRACT. DUST CONTROL MAY INCLUDE, BUT IS NOT LIMITED TO, SPRINKLING OF WATER ON EXPOSED SOILS AND STREET SWEEPING ADJACENT ROADWAYS.
7. IF FINAL GRADING IS TO BE DELAYED FOR MORE THAN 21 DAYS AFTER LAND DISTURBANCE ACTIVITIES CEASE, TEMPORARY VEGETATION OR MULCH SHALL BE USED TO STABILIZED SOILS WITHIN 14 DAYS OF THE LAST DISTURBANCE.
8. IF A DISTURBED AREA WILL BE EXPOSED FOR GREATER THAN ONE YEAR, PERMANENT GRASSES OR OTHER APPROVED COVER MUST BE INSTALLED.
9. THE CONTRACTOR MUST KEEP ON-SITE AT ALL TIMES ADDITIONAL SILT FENCE AND HAY BALES FOR THE INSTALLATION AT THE DIRECTION OF THE ENGINEER OR THE CITY TO MITIGATE ANY EMERGENCY CONDITION.
10. THE CONSTRUCTION FENCING AND EROSION AND SEDIMENT CONTROLS AS SHOWN MAY NOT BE PRACTICAL DURING ALL STAGES OF CONSTRUCTION. EARTHWORK ACTIVITY ON-SITE MUST BE DONE IN A MANNER SUCH THAT RUNOFF IS DIRECTED TO A SEDIMENT CONTROL DEVICE OR INFILTRATED TO THE GROUND.
11. DEMOLITION AND CONSTRUCTION DEBRIS MUST BE PROPERLY CONTAINED AND DISPOSED OF.
12. DISPOSAL OF ALL DEMOLISHED MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR AND MUST BE HAULED OFF-SITE IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REQUIREMENTS.
13. DURING CONSTRUCTION, EVERY EFFORT SHALL BE MADE TO MINIMIZE CONSTRUCTION WASTE AND DEBRIS.
14. EVERY EFFORT SHALL BE MADE TO MINIMIZE AIR POLLUTION, SEDIMENTATION, WIND EROSION, DUST, AND CONSTRUCTION DEBRIS TO MAINTAIN A HEALTHY CONSTRUCTION ENVIRONMENT.

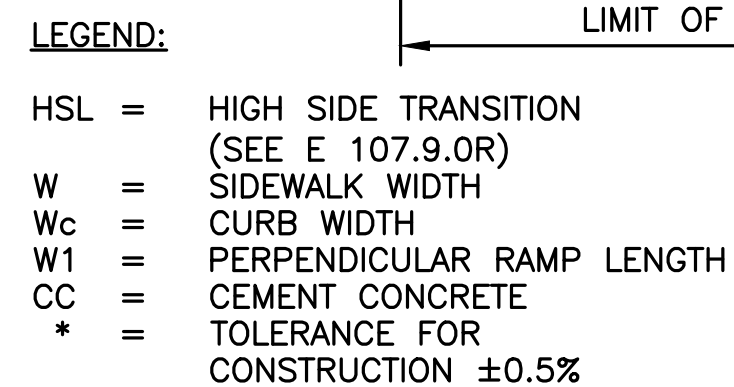
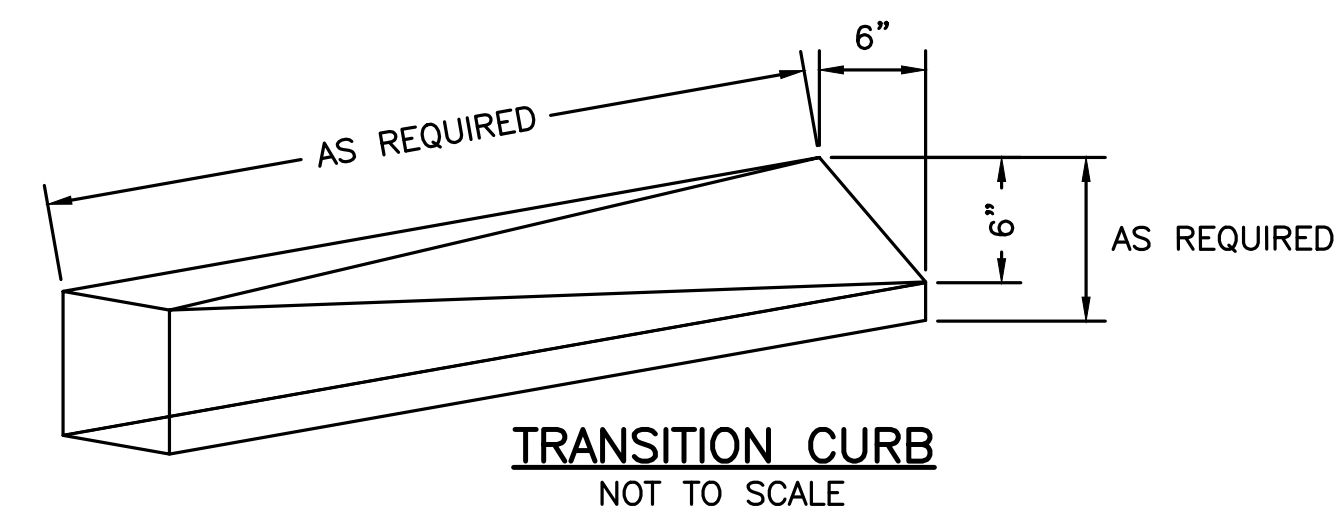
1. INSTALL EROSION AND SEDIMENT CONTROLS PRIOR TO STARTING ANY EARTHWORKS ACTIVITY.
2. INSTALL/UPGRADE SITE FURNISHINGS.
3. INSTALL PAVEMENT AND CURBS.
4. EROSION AND SEDIMENT CONTROLS SHALL BE MAINTAINED UNTIL PERMANENT COVER IS ESTABLISHED.



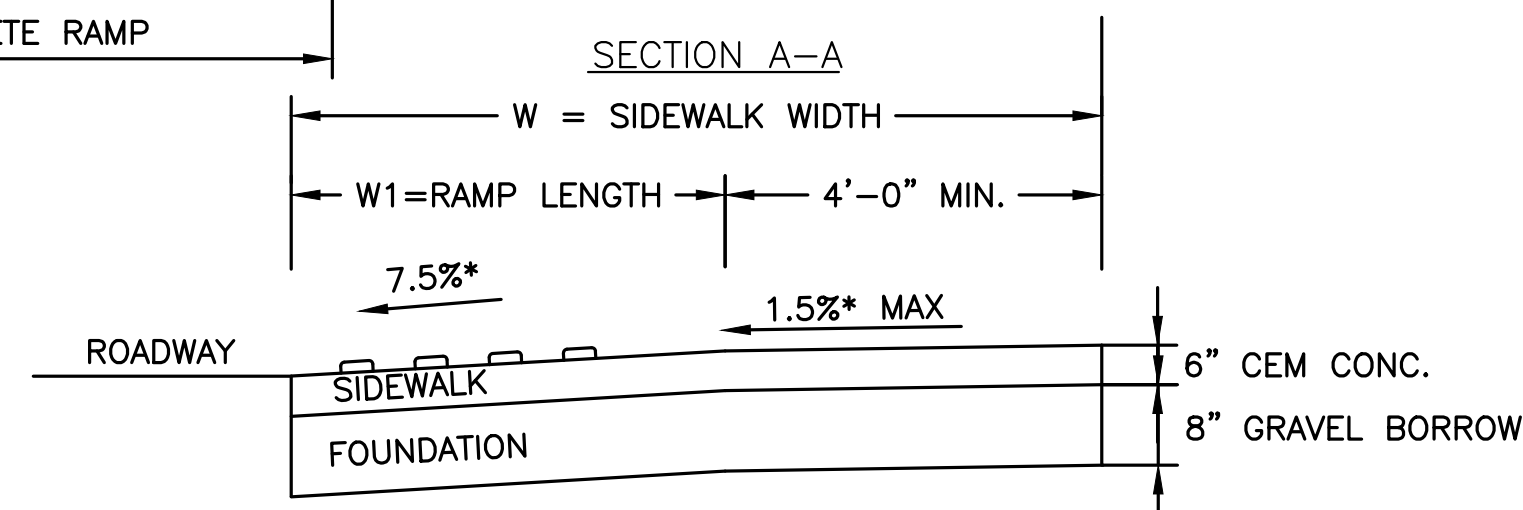
STRAW WATTLE DETAIL
NOT TO SCALE



VERTICAL GRANITE CURB
NOT TO SCALE



USEABLE SIDEWALK WIDTH PER AAB = $W - WC$
RAMP LENGTH = $W1 = W - 4'' - 0''$ MIN



WHEELCHAIR RAMPS ON NARROW SIDEWALK WITH
DETECTABLE WARNING PANEL (E107.2.1R)
NOT TO SCALE



| NO | BY | DATE | DESCRIPTION |
|----|----|----------|---------------------|
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| 7 | KF | 04-23-21 | ADD DECK TO REAR |
| 8 | KF | 07-01-21 | OOC AMENDMENT |



DETAIL SHEET
1 OF 4

CHECKED BY: KE



HOWARD STEIN HUDSON

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PREPARED FOR:

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SITE
PLAN

DETAIL SHEET
2 OF 4

DATE: OCTOBER 16, 2018

PROJECT NUMBER: 17222

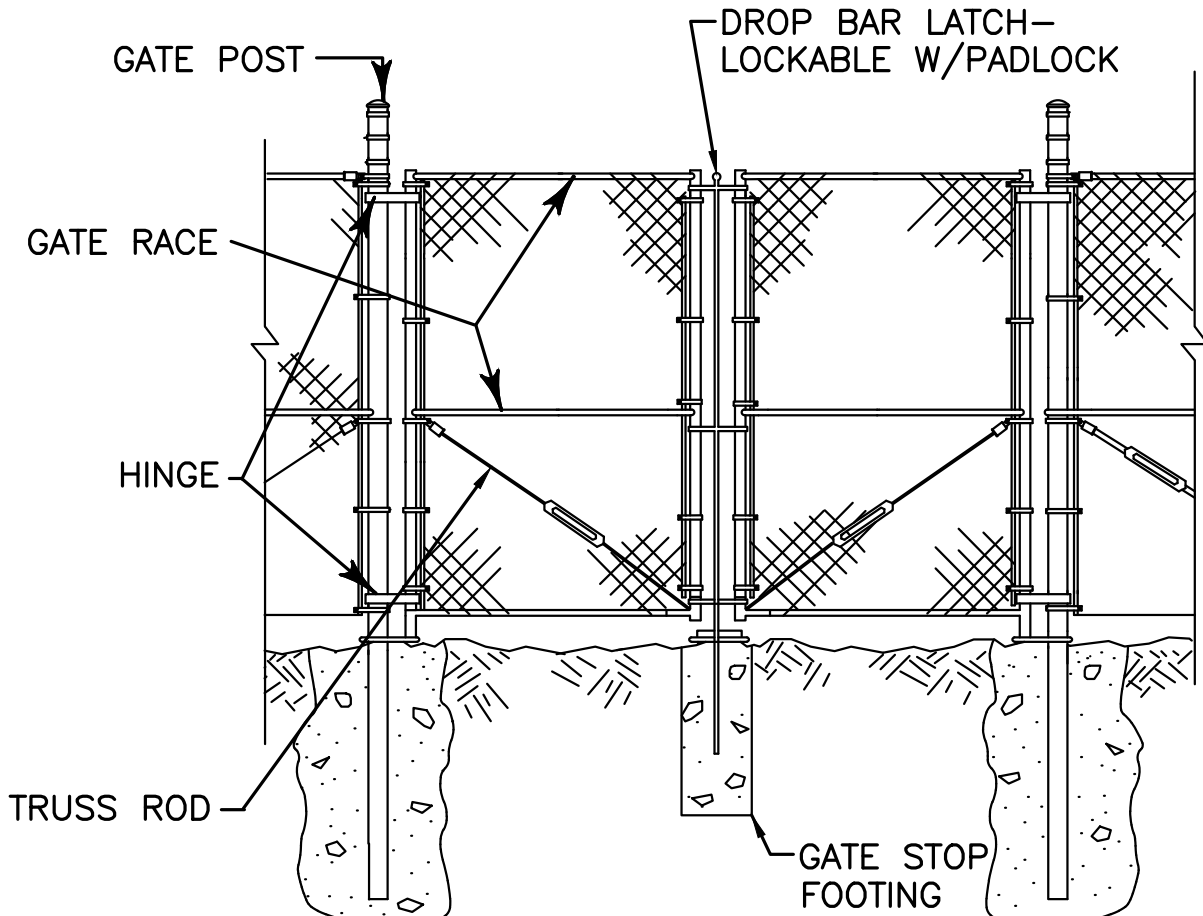
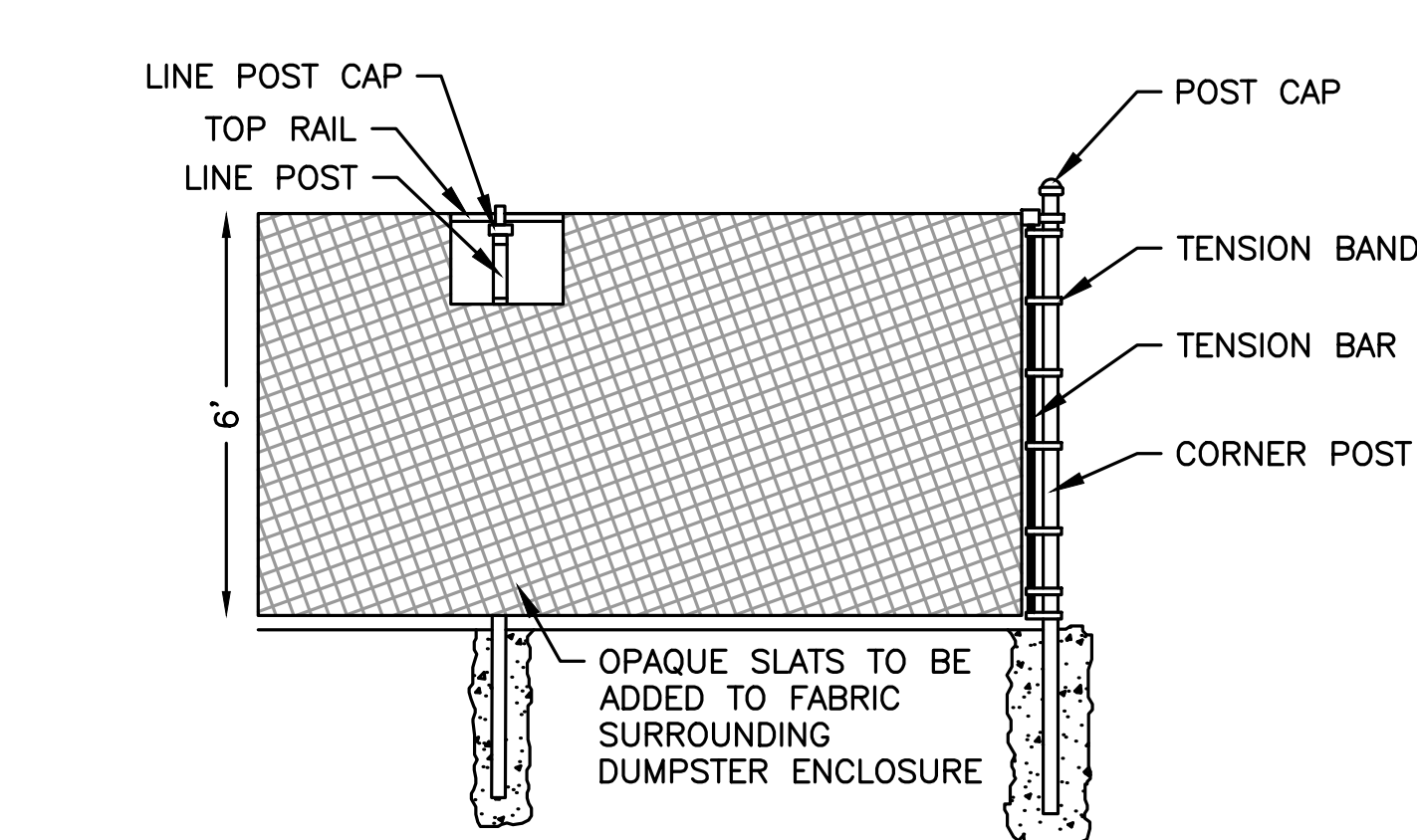
DESIGNED BY: KE

DRAWN BY: KF

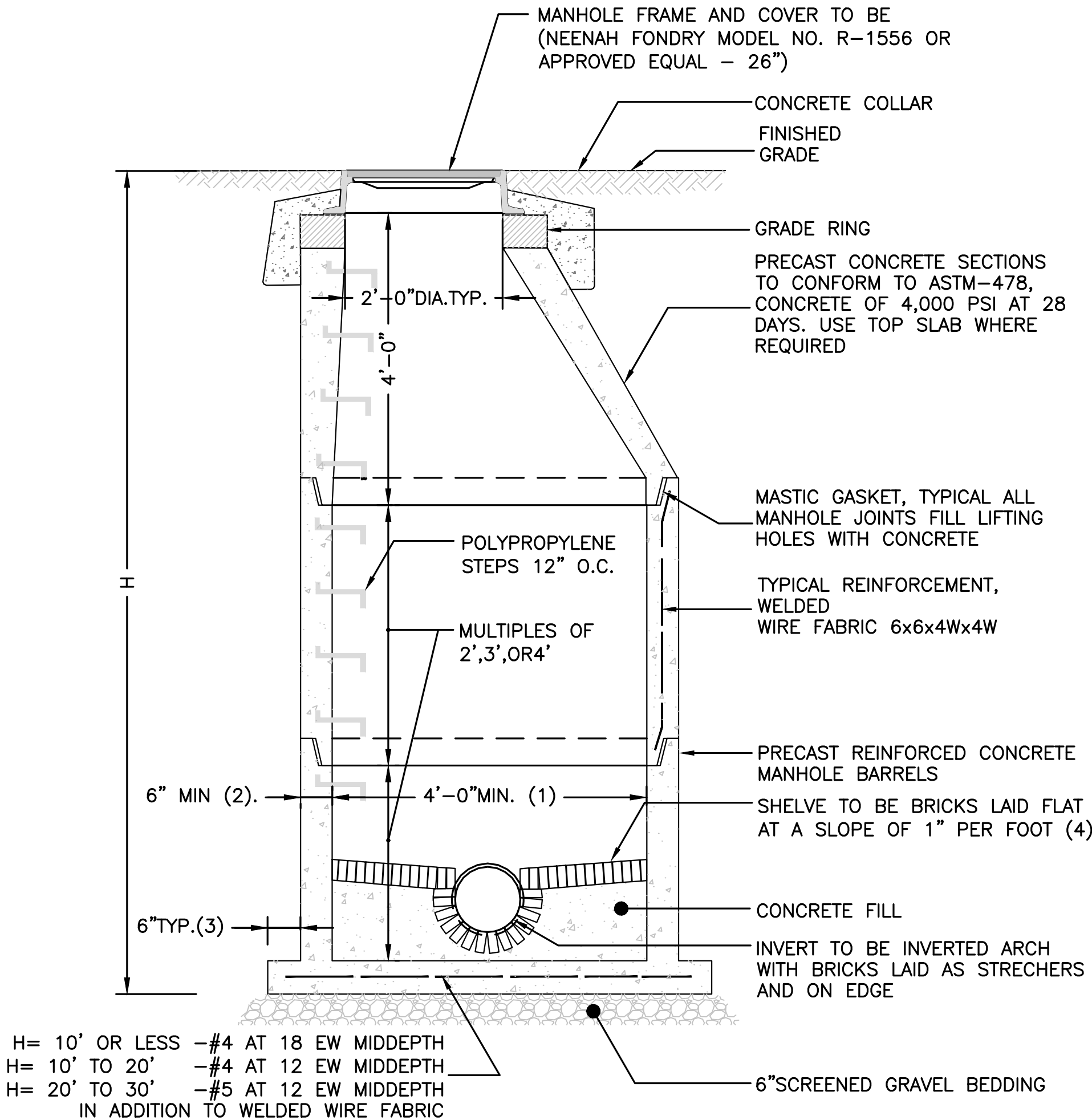
CHECKED BY: KE

5

SHEET 5 OF 7



CHAIN LINK FENCE DETAIL
NOT TO SCALE

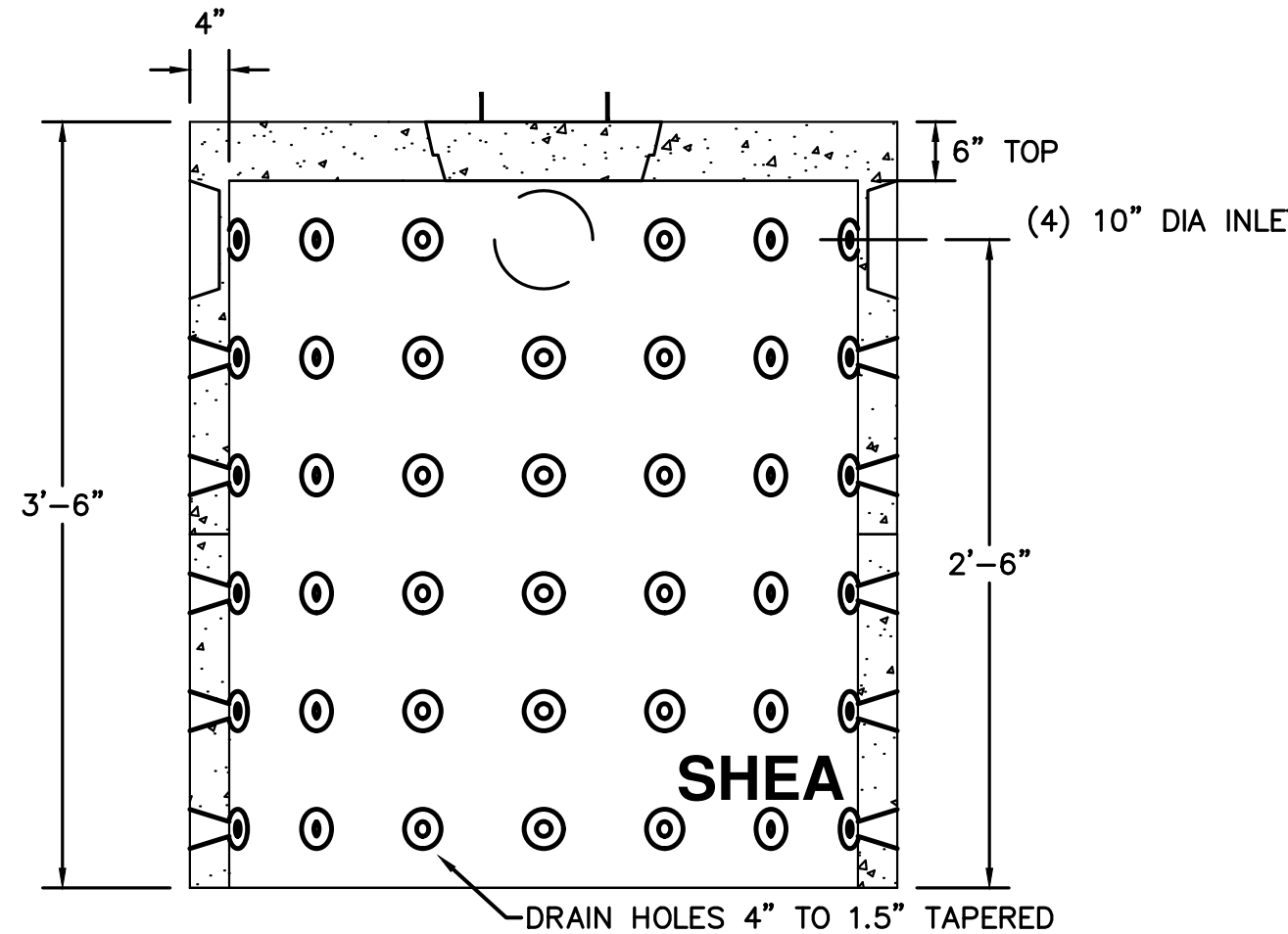
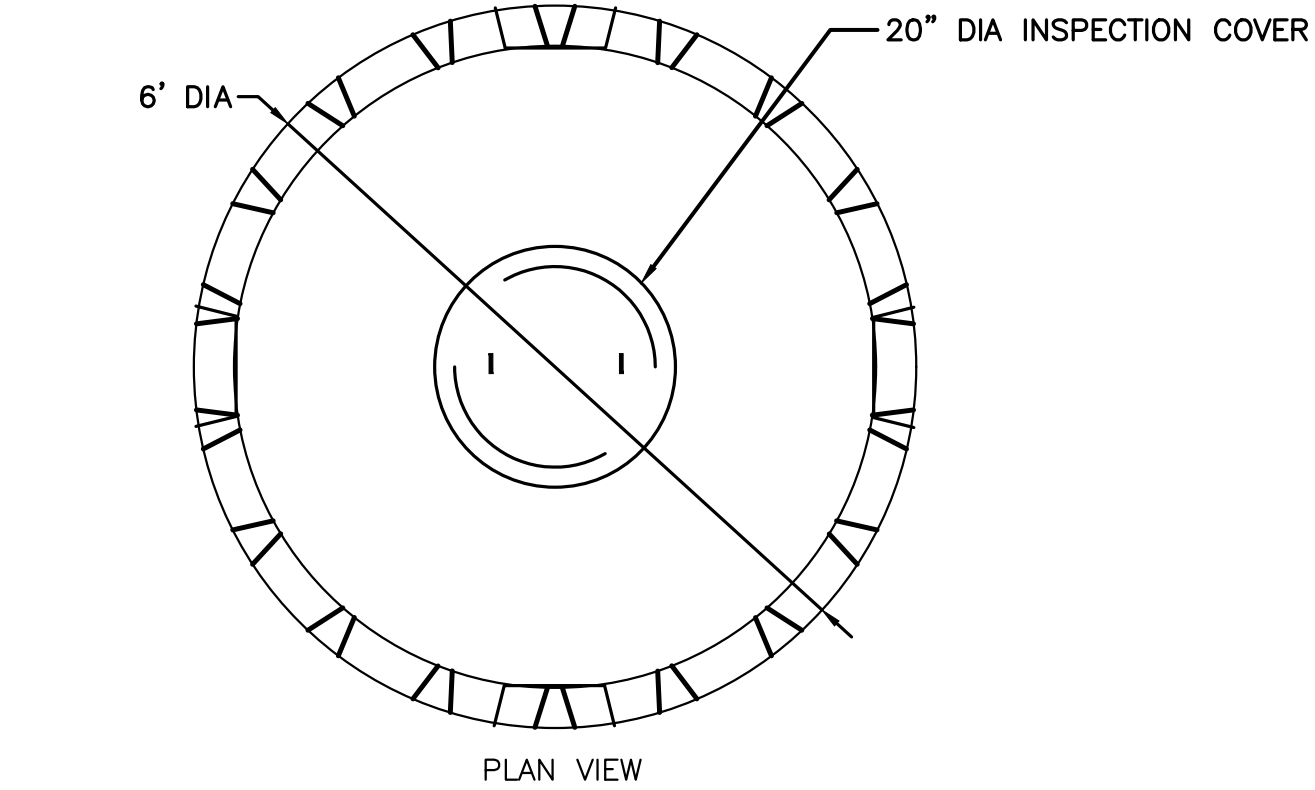


H= 10' OR LESS -#4 AT 18 EW MIDDEPTH
H= 10' TO 20' -#4 AT 12 EW MIDDEPTH
H= 20' TO 30' -#5 AT 12 EW MIDDEPTH
IN ADDITION TO WELDED WIRE FABRIC

NOTES:

- 5'-0" DIAMETER FOR ALL MANHOLE DEPTHS GREATER THAN 20 FEET OR WHEN ORDERED BY THE ENGINEER.
- 6 INCH MIN. WALL THICKNESS AND 7 INCH MIN. BASE THICKNESS WITH 5'-0" DIAMETER MANHOLES.
- 6 INCH LIP OPTIONAL UNLESS OTHERWISE NOTED. CONCRETE INVERT AND SHELVE MAY BE SUBSTITUTED IN STORM DRAIN MANHOLES AS DIRECTED BY THE ENGINEER.

PRECAST CONCRETE MANHOLE
NOT TO SCALE



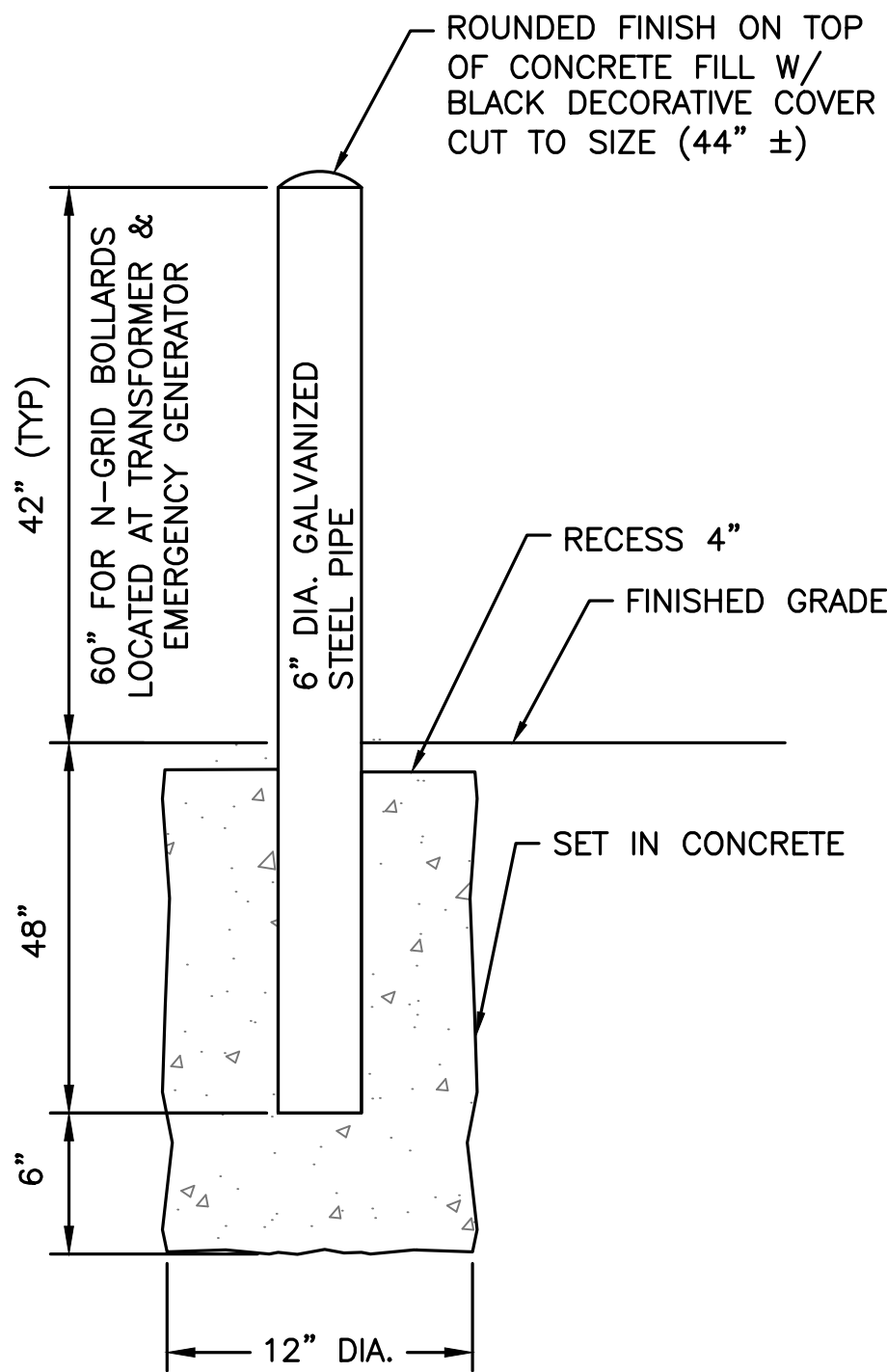
SECTION VIEW

NOTES:

- CONCRETE: 4,000 PSI MINIMUM AFTER 28 DAYS.
- AVAILABLE IN H-20 LOADING.
- CAPACITY INCREASES IN INCREMENTS OF 500 GALLONS FOR EACH 3' SECTION ADDED.

| | ITEM NO. | WEIGHT |
|--------------|---------------------|--------|
| 1000 GALLON | DW-1000SDW STANDARD | 6,778# |
| 3' STACKABLE | DW-1000SDWH H-20 | 6,778# |
| | DW-3SS | 2,008# |

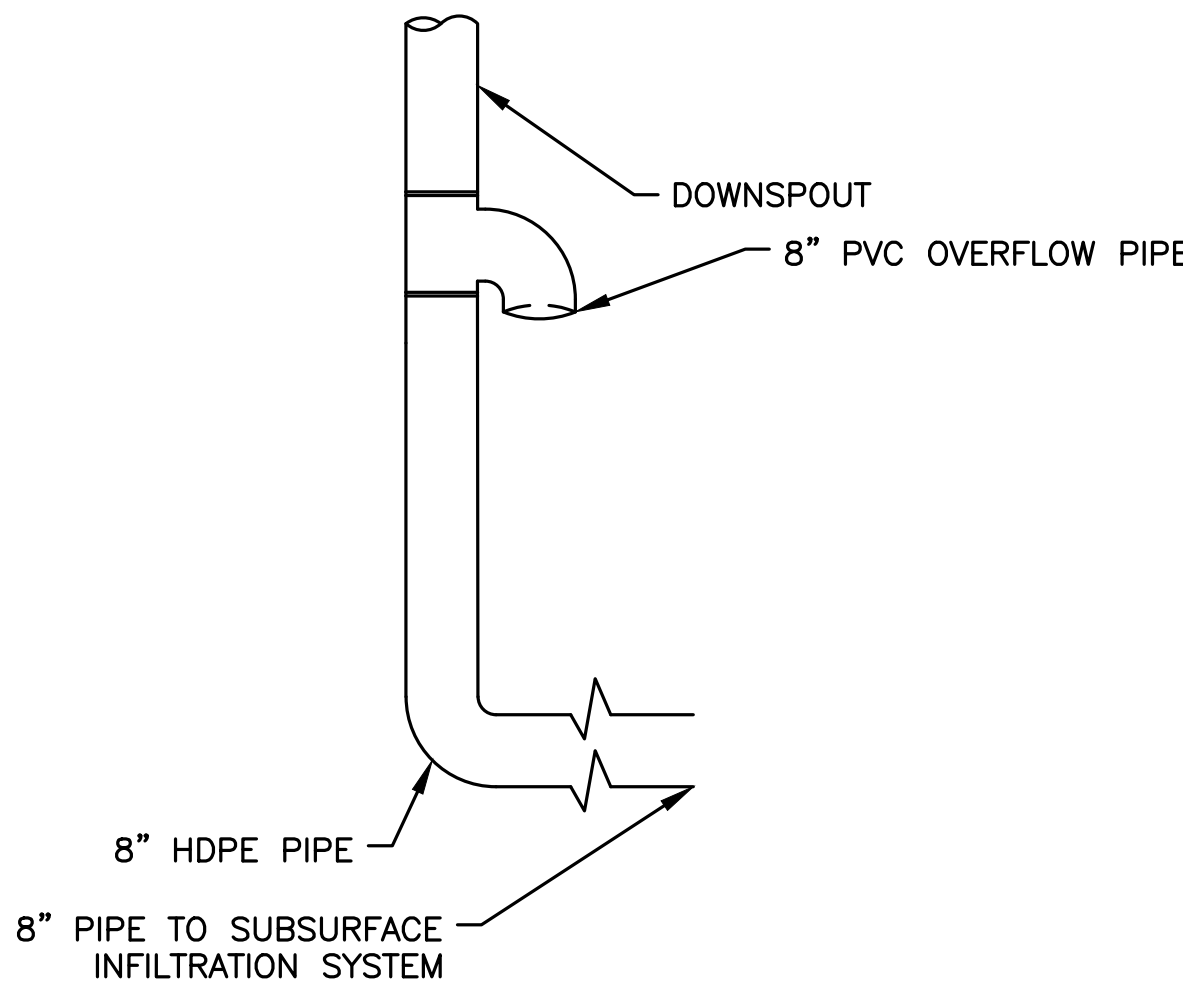
PRECAST CONCRETE DRYWELL
NOT TO SCALE
SHAE CONCRETE PDOCUTS™



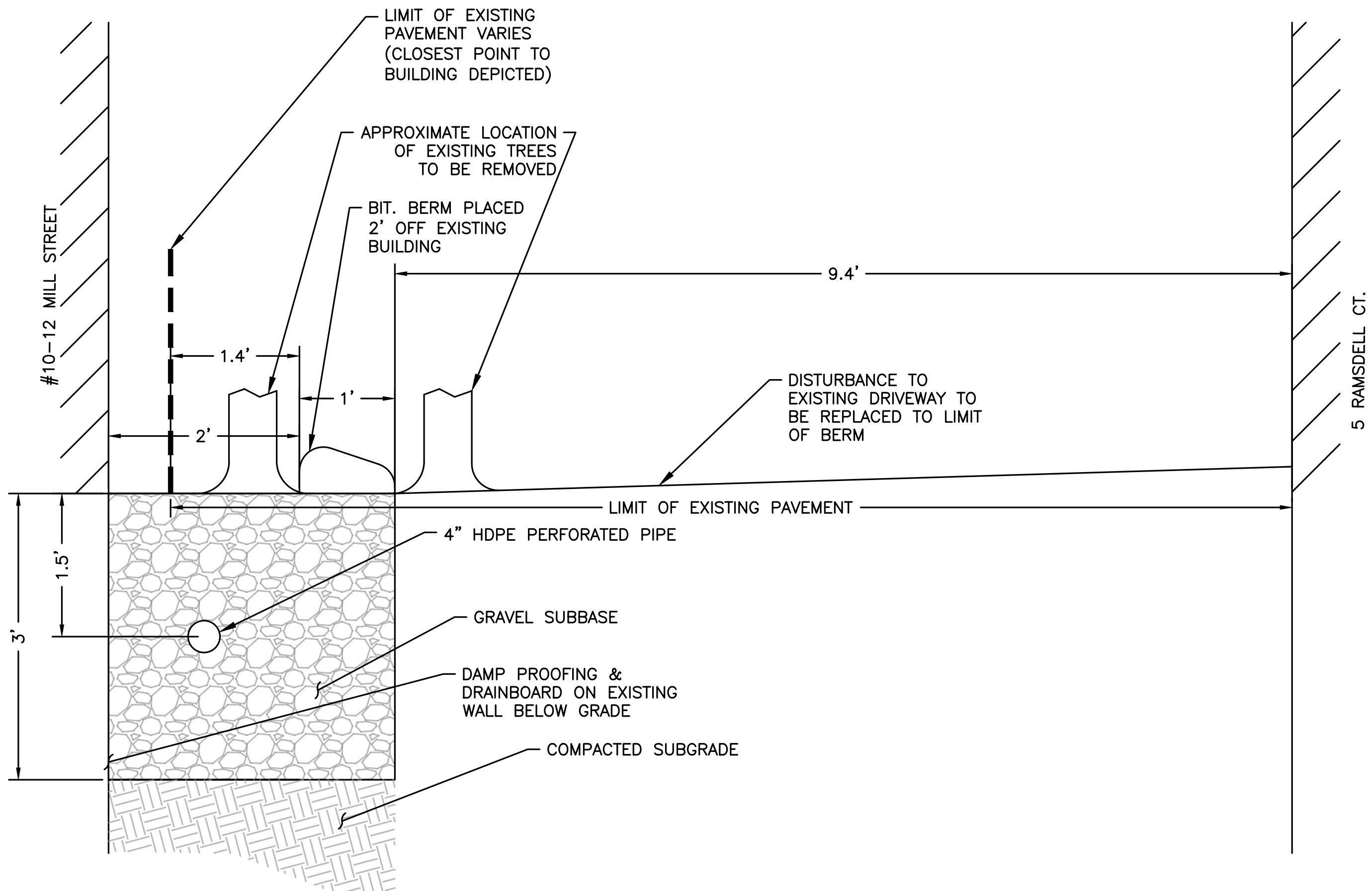
BOLLARD
NOT TO SCALE

NOTE:

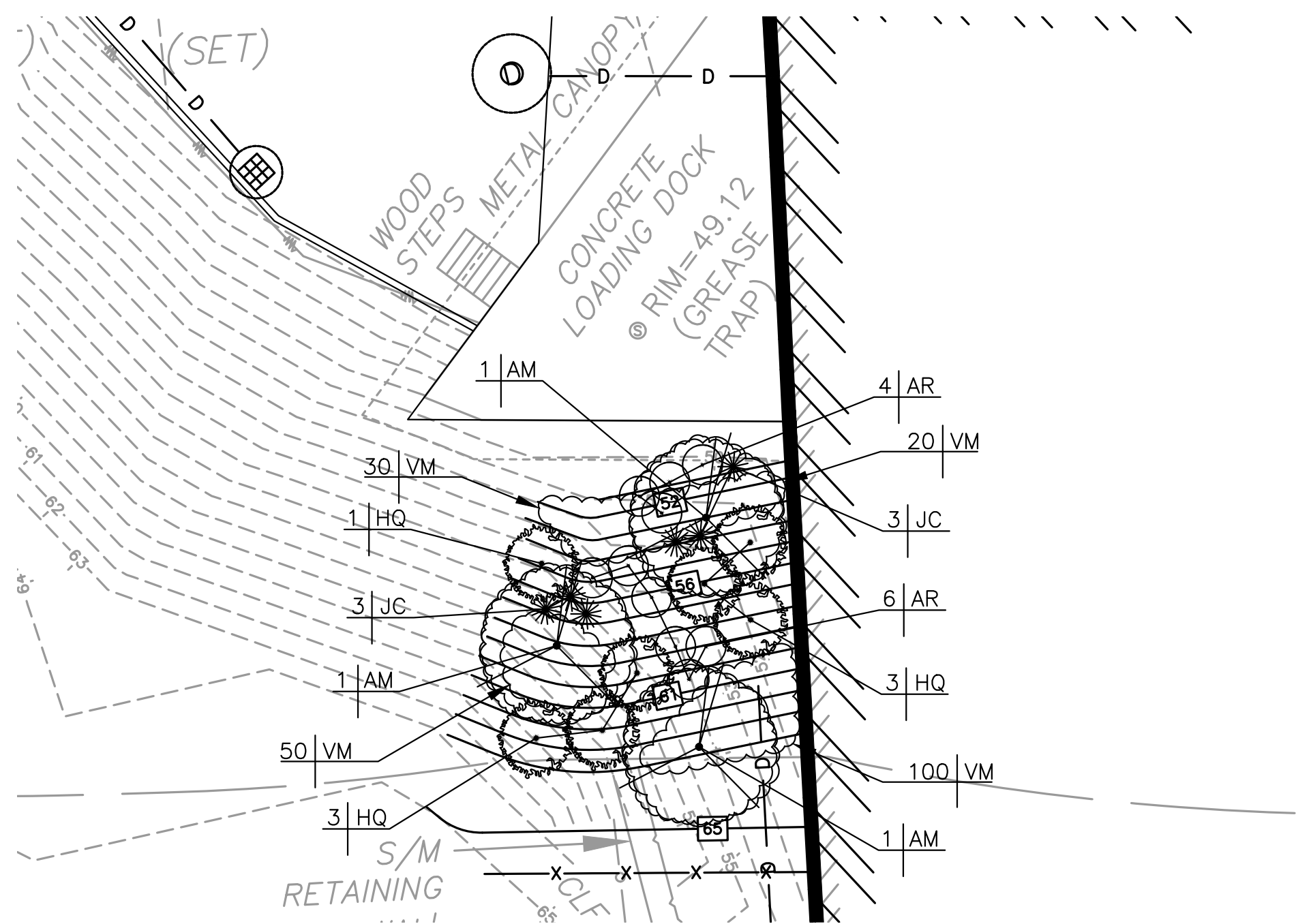
- DIG POST HOLE FOR BOLLARD, PARTIALLY FILL HOLE WITH CONCRETE MIX, INSTALL PIPE, FILL HOLE, AND FILL PIPE W/CONCRETE MIX.
- SUPPORT BOLLARD AND PROTECT FROM DAMAGE WHILE CONCRETE CURES. THEN PAINT WITH APPROPRIATE PAINT. COLOR AS REQUIRED BY OWNER.



ROOF DRAIN DOWNSPOUT AND OVERFLOW
SECTION DETAIL
NOT TO SCALE

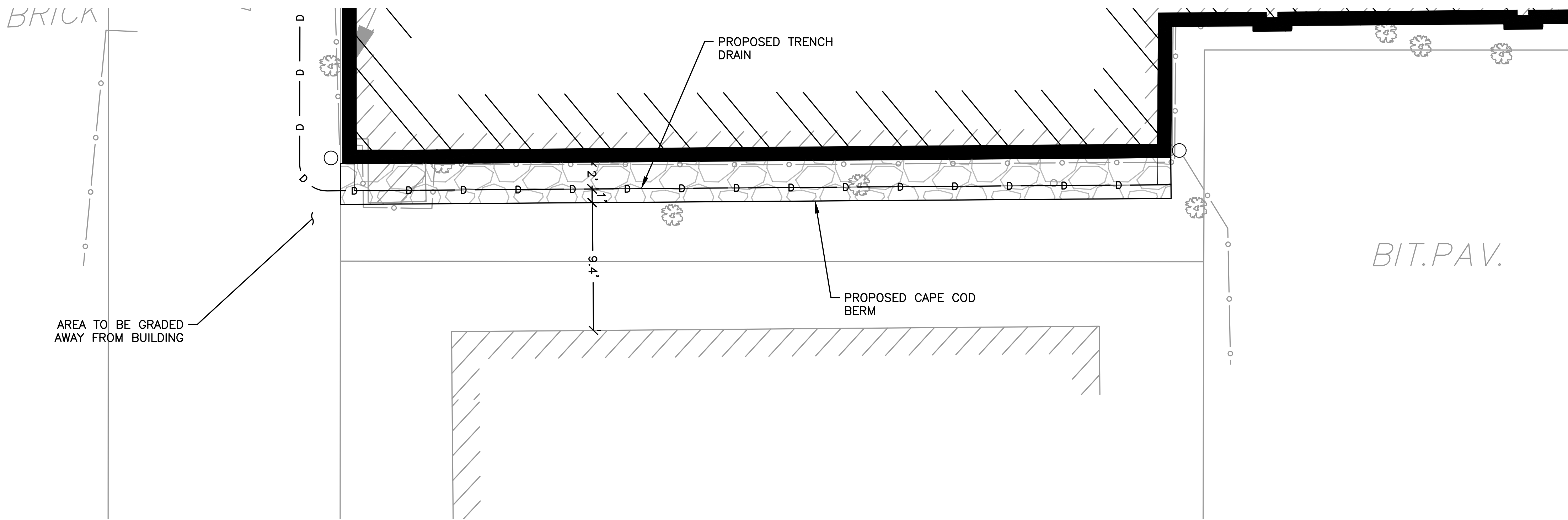


DRIVEWAY DISTURBANCE PROFILE
SCALE: 1"=1'

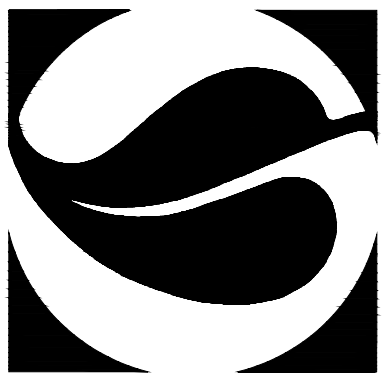


LANDSCAPE DETAIL
SCALE: 1"=10'

| PLANT SCHEDULE | | | | | |
|----------------|---------|--------------------------------------|-------------------------|-----------------|--|
| KEY | QTY | LATIN NAME | COMMON NAME | SIZE | COMMENTS |
| TREES | | | | | |
| AM | 3 | AMELANCHIER 'ROBIN HILL' | ROBIN HILL SERVICEBERRY | 6-7 FT. B&B | WHITE FLOWER EARLY SPRING/MULTISTEM, 15FT X 15FT |
| SHRUBS | | | | | |
| AR | 10 | ARONIA MELANOCARPA 'LOW SCAPE MOUND' | LOW SCAPE 10 CHOKEBERRY | #2 POT | WHITE FLOWERS/ 2.5FT X 2.5FT |
| HQ | 7 | HYDRANGEA QUERCIFOLIA 'SNOW QUEEN' | OAKLEAF HYDRANGEA | 3-4 FT. B&B | WHITE SUMMER FLOWER/ 4FT. X 5FT. |
| JC | 6 | JUNIPERUS CONFERTA 'BLUE PACIFIC' | SHORE JUNIPER | #3 POT | 10" X 5FT. EVERGREEN GROUNDCOVER |
| GROUNDCOVERS | | | | | |
| VINCA | 4 FLATS | VINCA MINOR | PERIWINKLE | FLATS/50 PLANTS | |



DRIVEWAY DISTURBANCE DETAIL
SCALE: 1"=5'



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Landscape Architect

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PREPARED FOR:

DREW HUNTER
HIGHROCK CHURCH
14 MILL STREET
ARLINGTON, MA 02476

HIGHROCK CHURCH
RENOVATION
10,12,14,16 MILL STREET
ARLINGTON, MA 02476

REVISIONS:

| NO | BY | DATE | DESCRIPTION |
|----|----|----------|---------------------|
| 1 | ND | 02-06-20 | PER ARCH. CHANGES |
| 2 | KF | 12-15-20 | PER ARCH. DIRECTION |
| 3 | SM | 12-23-20 | PER ARCH. COMMENTS |
| 4 | KF | 01-27-21 | PER ARCH. COMMENTS |
| 5 | MB | 02-09-21 | DRIVEWAY DETAIL |
| 6 | KL | 03-11-21 | PER CLIENT COMMENTS |
| 7 | KF | 04-23-21 | ADD DECK TO REAR |
| 8 | KF | 07-01-21 | OOB AMENDMENT |



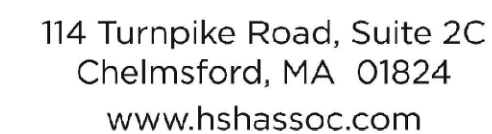
SITE
PLAN

DETAIL SHEET
3 OF 4

| | |
|-----------------|------------------|
| DATE: | OCTOBER 16, 2018 |
| PROJECT NUMBER: | 17222 |
| DESIGNED BY: | KE |
| DRAWN BY: | KF |
| CHECKED BY: | KE |

6

SHEET 6 OF 7



DREW HUNTER
HIGHROCK CHURCH
14 MILL STREET
ARLINGTON, MA 02476

**HIGHROCK CHURCH
RENOVATION**
10,12,14,16 MILL STREET
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| NO | BY | DATE | DESCRIPTION |
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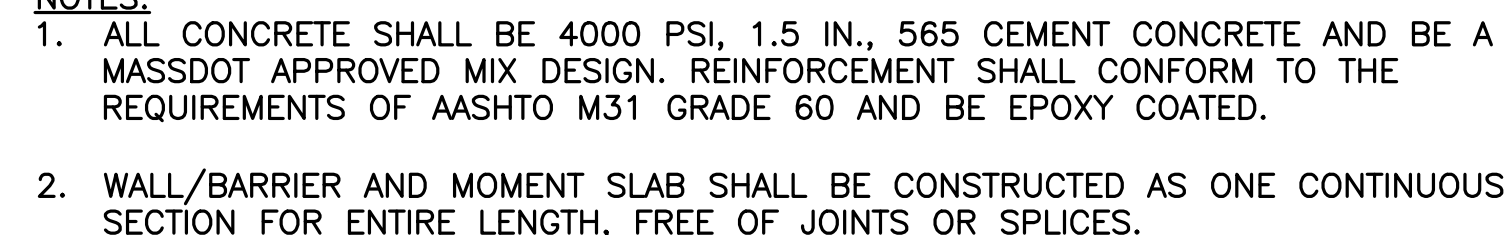


DETAIL SHEET
4 OF 4

CHECKED BY: _____ KE _____

7

SHEET 7 OF 7



WALL/BARRIER AND MOMENT SLAB DETAIL

SCALE: $\frac{3}{4}" = 1'-0"$



NOT TO SCALE